# THE VIAL POURED OUT UPON THE SEA

*A Remarkable* Relation *of certain* Pirates *brought unto a Tragical and Untimely* End. *Some* Conferences *with them, after their Condemnation. Their* Behaviour *at their Execution. And a* Sermon *preached on that Occasion.*

---

*Job XX.29. This is the Portion of a wicked Man from GOD, and the Heritage appointed unto him by GOD.*

COTTON MATHER

M. And now, Fly; I hope, you are come to a Better Frame, than what I lately left you in.

F. I am where I was.

WILLIAM FLY · THE SECOND CONFERENCE · 9 JULY 1726

THE EXPANDED EDITION

*the trial and execution of William Fly, with five further sources*

HOSTIS

# The Vial Poured Out Upon the Sea

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*The Expanded Edition*
*with the trial record, the second account,*
*and the London printings*

# THE VIAL POURED OUT UPON THE SEA

*A Remarkable Relation of certain Pirates brought unto a Tragical and Untimely End. Some Conferences with them, after their Condemnation. Their Behaviour at their Execution. And a Sermon preached on that Occasion.*

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COTTON MATHER

THE EXPANDED EDITION
*the pamphlet entire, with five further sources set into the text, a roster of the sixteen, a chronology, an index, and an afterword*

*edited, with an introduction and notes, by HOSTIS*

*Boston: Printed by T. Fleet, for N. Belknap, and sold at his shop near Scarlet's Wharf.* 1726.

HOSTIS
*MMXXVI*

The principal text of this edition is *The Vial Poured Out Upon the Sea*, printed at Boston by Thomas Fleet for Nathaniel Belknap in 1726 and attributed to Cotton Mather. Evans no. 2779.

It is printed here with *The Tryals of Sixteen Persons for Piracy* (Boston, for Joseph Edwards, 1726; Evans no. 2819) and with the account of the affair that Benjamin Colman appended to his own execution sermon (Boston, for John Phillips and Thomas Hancock, 1726; Evans no. 2735). Three further sources are quoted. All six are described in full at the back of this volume.

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# Introduction

In the summer of 1726 a sailor named William Fly was hanged in Boston for killing his captain and turning pirate. He had been at large a month and taken four vessels, none of them rich. By the standards of the trade he was nobody. Bartholomew Roberts had taken four hundred prizes. Blackbeard had blockaded a colonial capital. Fly took a fishing schooner off Browns Bank.

The pamphlet that follows was written about his death by the most prolific author in English America. What follows here is an account of who wrote it, what he was in that prison cell to accomplish, what kind of object a pamphlet like this was in 1726, who sat on the court, and what the pamphlet leaves out that other men in Boston that summer wrote down.

## THE MAN WHO WROTE IT

Cotton Mather was sixty-three in 1726 and had been famous for forty of them. He was the son of Increase Mather, president of Harvard, and the grandson of John Cotton and Richard Mather, which in Massachusetts was a lineage close to royal. He entered Harvard at eleven. The North Church in Boston had him in its pulpit for the whole of his adult life, and he published something over four hundred titles.

He wrote the ecclesiastical history of New England, the Magnalia Christi Americana, which runs to eight hundred folio pages. He left unfinished a biblical commentary, the Biblia Americana, so enormous that no publisher would touch it in his lifetime and it took until the twenty-first century to appear in print. The Psalms he translated into blank verse. A manual of practical charity, Bonifacius, or Essays to Do Good, so impressed a Boston apprentice named Benjamin Franklin that he said long afterwards it had shaped his life more than almost any book he read young.

He was also, by any modern reckoning, credulous on an industrial scale, and the two things were not separate in him. He believed the New World had been Satan's undisturbed country before the Puritans landed and that the Devil was therefore making a particular effort against them. He had published on witchcraft and possession before Salem, and in 1692 he drafted the Boston ministers' answer to the magistrates on which the prosecutions proceeded. That answer cautioned against relying on spectral evidence, the testimony of people who claimed to see a defendant's spirit. He then wrote The Wonders of the Invisible World, which defended the trials and made use of the very evidence he had warned about.

He also spent his life collecting prodigies and marvels, and sent long reports of American curiosities to the Royal Society in London, which elected him a Fellow. He believed that comets carried meaning. When great bones and teeth were dug from a riverbank in New York he took them for the remains of antediluvian giants and reported them to London as evidence for Genesis. He kept private fasts and recorded raptures in his diary. He worked and reworked calculations of when the world would end.

And in the middle of all that, he was right about the thing that mattered most in his lifetime. During the smallpox epidemic of 1721 he pushed inoculation on a town that did not want it, against the near-unanimous opposition of Boston's physicians, on evidence he had partly gathered from an enslaved African man in his own household named Onesimus, who told him it was practised where he came from. The town's reaction was to throw a bomb through his window. It failed to explode. In his medical treatise, The Angel of Bethesda, he speculated that some diseases might be caused by animalcules too small for the eye, which is roughly a century and a half early, in a book that also recommends remedies no one should try.

He founded neighbourhood societies, funded a free school for Black and Indigenous children out of his own pocket, and wrote a tract urging masters to Christianise the people they enslaved. He was,

in short, a man in whom the seventeenth century and the eighteenth were still arguing, and losing to each other by turns.

By 1726 the argument was going against him publicly as well. The Boston he was preaching to was a port town of some twelve thousand people, the busiest in English America, growing rich on shipping, fish, rum and the slave trade, and increasingly run by merchants rather than ministers. Twice he had stood for the presidency of Harvard, and twice he had failed to get it. The New-England Courant, the newspaper where the young Franklin was setting type, had mocked him and his inoculation campaign in print. The clergy still held the pulpit and no longer held the province. He had one instrument left that reliably commanded the attention of the whole town, and it was the gallows.

## WHAT HE WAS THERE TO DO

The execution of a criminal in Puritan New England was a liturgy, and the ministers had a fixed part in it.

The condemned man was visited in prison, often daily, by ministers who pressed him toward confession. On the Lord's day before the hanging he was brought under guard to the meeting house and made to sit through a sermon preached at him, by name, in front of the congregation. On the day itself he was carted to the gallows through a crowd that could run to a substantial fraction of the town, and there he was expected to admit the justice of his sentence, to name the small sins that had led to the great one, and to warn the young men listening to take heed by his example. Then he was hanged, and within days the whole sequence appeared in print, sermon and confession together, sold cheap.

Mather had performed this office for pirates repeatedly. He preached at the hanging of John Quelch's company in 1704 and published it. He did it again for the survivors of Samuel Bellamy's wreck in 1717, and again in 1724 for men taken off the New England coast. He published on the twenty-six hanged at Newport in 1723 as well,

though that execution was not his to attend. Nobody alive knew the form better.

The form had a purpose beyond the saving of a soul, and the purpose was political. A man who dies cursing the court is a man whose death is merely an exercise of power. A man who dies agreeing with the court has ratified it. The execution narrative took the most extreme act a government can perform against a person and converted it, in public, into a thing the person himself endorsed. Every printed confession was a signature on the social order, obtained under the only conditions in which it could not be withheld.

Cotton Mather went into the prison in July 1726 to collect that signature. Whether he collected it is the subject of the pamphlet, and is best read there.

## THE TRADE IN LAST WORDS

It is easy to picture these pamphlets as solemn devotional objects. They were not. They were the popular commercial reading of their day, and everyone involved knew it.

Executions drew enormous crowds, and the printed account was sold to that same crowd while the event was still fresh, at a price an ordinary reader could meet. In London the equivalent was the Ordinary of Newgate's Account, a running series of criminal biographies compiled by the prison chaplain, who held the exclusive right to publish them and made a substantial private income from the arrangement. In Boston the trade ran through the ministers and the printers rather than a prison office, but the economics were identical: crime, confession, gallows, print, sale.

Mather had already assembled the genre's first American anthology. Pillars of Salt, published in 1699, collects the histories and dying speeches of criminals executed in New England. It is, in form, a true crime collection with a theological preface. His preferred word for the project was edification. It also sold.

The genre's consequences ran well past the pulpit. The criminal narrative, with its arc from small vice to great crime to public death, is one of the direct ancestors of the English novel, and the writer usually credited with that transition was working the same material in the same years. Daniel Defoe published Moll Flanders and Colonel Jack in 1722 and had spent years mining the Newgate accounts for plots. The General History of the Pyrates, which appeared under the name of Captain Charles Johnson in 1724, has often been attributed to him, though the attribution is disputed and has never been proved. A reader who bought a hanging pamphlet in 1726 and a novel in 1740 was buying recognisably the same product with the moral scaffolding progressively removed.

That removal is visible across the century. The early New England execution narratives are genuinely about sin and salvation. The later ones drift toward the sensational, the theology thinning until it survives as a preface nobody reads before the good part. This pamphlet sits close to the hinge. It was written by a man who still believed the form entirely, and bought by a public that was beginning to read it for the pirate.

## THE WAR THAT WAS ENDING

Piracy in the Atlantic had by 1726 been broken as an organised force, and broken recently and deliberately.

For roughly a decade after the Treaty of Utrecht in 1713 threw thousands of privateers and naval seamen out of work into a peacetime merchant marine that paid badly and used them worse, the western Atlantic carried a genuine insurgency of the sea. It was never large. Something under four thousand men altogether, sailing perhaps eighty vessels, taking some two thousand four hundred prizes in ten years. They were young, most of them in their twenties, unmarried, poor, and drawn from every nation and colour, a good many of them Africans out of the slave ships they took. And they were closely

related. Nine in ten can be traced through their captains back to two original companies.

New Providence in the Bahamas had been left without a working government after the Spanish war, and its harbour was too shallow to admit a man of war and deep enough for a sloop, and it lay close to the channel the treasure fleets came home by. By 1716 something like a thousand men were based at Nassau, refitting there, selling what they took there, and answering to nobody.

It was taken back in 1718 by Woodes Rogers, a former privateer carrying the King's pardon, an instrument that split every crew between the men who wanted a quiet life and the men who remembered what they had come for. Blackbeard was killed at Ocracoke that November by an expedition sent illegally across a colonial border. In 1722 the Royal Navy caught Bartholomew Roberts off Cape Lopez and took two hundred and seventy-two of his men. Sixty-five of them were Africans he had freed, and they were sold back into slavery without trial. The rest were carried to Cape Coast Castle in West Africa for the largest pirate trial in history, where fifty-two were hanged within the flood marks of the castle gate and the bodies left in chains along the shore.

By the summer of 1726 the campaign was effectively finished and the last few companies were being mopped up. William Fly's rising was small, late and doomed from the first week. What made it worth a pamphlet was precisely that it was late. Here was a chance to put one of the last of them on a scaffold and have him say, in front of the whole town and then in print for the whole English-speaking world, that the order which had destroyed his kind was righteous.

The whole insurgency had been fed by one event, the peace of 1713, and by the men it threw ashore. Thirteen years on that generation was dead or hanged or pardoned or too old, and there was no war running to produce another. The colonies had also changed sides. In the 1690s a pirate arriving in a cash-poor American port was a delivery of hard currency, which is why Thomas Tew dined repeatedly with the Governor of New York and gave him a gold watch. Thirty years on

the same ports were plugged into legitimate Atlantic trade and the pirates had begun robbing colonial shipping, at which point the fence became the hunter. The men who had once bought the goods now paid for the sloops that hunted them.

By 1724 the great companies were gone. Vane hanged at Port Royal in 1721, Roberts killed and his company destroyed in 1722, Lowther dead of his own pistol on a bare island in 1723, Low set adrift by his own crew in 1724. What was left was a handful of men with no port, no consorts and no recruits.

## WHY THIS IS THE ENDING

Nothing about William Fly ended the Golden Age. He was a boatswain who took four poor prizes in a month. The age was already over when he raised the black, and that is exactly why he marks the end of it.

Every earlier mutiny joined something. You took a ship and you sailed for Nassau, or for Madagascar, or you fell in with a consort within the month, and from that moment you were inside a network with articles, a base, a market for stolen goods and a supply of men who wanted to be there. Fly took a ship in May 1726 and there was nowhere to take it. No port would receive him, no consort appeared, and he could not fill his crew with volunteers because there were none left to volunteer, so he filled it with men pressed out of the vessels he robbed.

That is what killed him. He was overthrown by his own captured sailors, organised by a merchant commander he had taken aboard as a pilot. Ten years earlier those men would have signed his articles. By 1726 an ordinary seaman had done the math and worked out that turning in a pirate paid better than joining one.

The whole apparatus assembled one final time and got a clean performance out of it: a court of admiralty sitting without a jury, sixteen men arraigned, four condemned, two of the most eminent ministers in America working the cell, a sermon preached at the prisoners by name

before the congregation, a gibbet at the mouth of the harbour, and three separate printed accounts on sale within weeks. That is what an ending looks like.

Massachusetts spent two of its greatest divines and three print runs on an obscure boatswain who had robbed a fishing schooner. In 1720 nobody would have troubled. The attention was available because there was nothing else left to prosecute.

## THE COURT

The legal instrument that made the Atlantic suppression possible was an Act of Parliament of 1700, made perpetual in 1719, which allowed piracy to be tried by special courts of admiralty convened in the colonies. Such a court sat without a jury. It was composed of the governor and whatever officers of the Crown and the Navy were to hand. The men who hunted pirates, the men who governed the ports pirates raided, and the men who judged them were frequently the same men. It was efficient by design, and it is the court that tried the men in this book.

It sat at the Court House in Boston on the fourth and fifth of July 1726. William Dummer, Lieutenant Governor, presided. With him were eighteen commissioners of the Council, among them Jonathan Belcher, Paul Dudley and Thomas Hutchinson, together with the Judge of the Vice Admiralty Court, the captain of His Majesty's ship Sheerness, the Secretary of the Province and the Surveyor General of North America. Robert Auchmuty prosecuted for the King.

Among them sat Samuel Sewall, Chief Justice of the province's Superior Court, and his presence is the strangest thing in the whole affair.

Thirty-four years earlier Sewall had been one of the judges of the court that tried the Salem witchcraft cases, the prosecutions that proceeded on the advice Cotton Mather had drafted. Sewall was the only member of that bench who ever publicly repented. In 1697 he stood in silence in the Old South Church while his confession of error and guilt

was read aloud to the congregation, and he kept a private fast on the anniversary for the rest of his life. In 1700 he published The Selling of Joseph, three pages arguing from scripture that slaveholding was unjustified and sinful. It is the first antislavery publication in North America. He recorded that he got frowns and hard words for it.

So in July 1726 the minister who had furnished the reasoning for Salem was in the cell, and the one judge who had repented of Salem was on the bench, and the vessel in the case was a Bristol slave ship outbound from Jamaica for the Guinea coast.

## HOW THIS PAMPHLET WAS MADE AND SOLD

The Vial Poured Out Upon the Sea opens with a verse epigraph on pirates lifted from a poetic paraphrase of Job. Then a relation of the crime and the capture, written after the fact in the third person, with dates, names and ship movements. Then two conferences held in the prison on the sixth and the ninth of July, set out as dialogue with the minister's speeches marked M and the prisoners' marked P, evidently taken down at the time or reconstructed immediately after. Then the sermon preached on the Lord's day between them. Then the application, which is the sermon turned to face the seafaring men in the congregation. Then a short report of the execution, written last.

The narrative of the piracy takes about a tenth of the book and the report of the execution about a twelfth. The two conferences take more than two fifths, and the sermon with its application nearly another two fifths. Four fifths of the pamphlet is Mather speaking or Mather being spoken to.

He states his selection principle openly in the relation. The conferences are inserted, he writes, because it may be edifying to the survivors, whatever it might be to the criminals. Edification of the living, not completeness of the record, is the criterion.

It was printed at Boston by Thomas Fleet, an English printer who had come to the town in 1712 and would later run a newspaper of his own, for the bookseller Nathaniel Belknap, and sold at Belknap's

shop near Scarlet's Wharf, which is to say on the waterfront, among the men it was addressed to. Fifty-one pages, octavo, cheap.

## WHAT THIS EDITION ADDS

Mather's text is printed here entire and unaltered. Nothing has been cut, corrected or rearranged.

A reader who finishes Mather's pamphlet knows a great deal about the state of William Fly's soul and very little about his case. The trial receives one sentence. There is no evidence in the pamphlet, no testimony, no defence, no verdict but the one, and no indication that anybody besides the four condemned men was ever charged. Men named in the sworn testimony as principals in the killing never appear. The vessel was a slaver bound for Guinea, and the word Guinea appears twice in fifty-one pages, both times as a destination and never as a cargo, in a book preached to seafaring men about wickedness at sea. The complaint that the mutineers made about their treatment aboard reaches the page three times. Once in the relation, hedged as something they said. Once in Fly's own mouth. And once from the pulpit, where Mather makes it himself to the shipmasters in the congregation and never connects it to the man he is about to bury.

These omissions are not random and they are not lies. Every one of them removes something that would make the hanging harder to read as justice. Mather told us he was selecting for edification. This is what selecting for edification looks like.

Almost all of it can be put back, because the other parties printed too. The Tryals of Sixteen Persons for Piracy was published at Boston that same summer for the bookseller Joseph Edwards and preserves the roll of the bench, the six sets of articles of indictment, the speeches of the Advocate General, the sworn depositions of the King's witnesses, the prisoners' defences, every verdict, and the sentences in the words in which they were read out. Benjamin Colman, pastor of the Brattle Street Church, preached to the condemned on the Lord's day and printed an account of the affair with his sermon, drawn in part

from the man who retook the ship. It supplies what neither the court nor Mather had reason to set down at length. Three more documents are quoted. The General History of the Pyrates, printed at London in 1728, preserves speech that nobody in Boston chose to record, including the longest run of Fly's own words that survives anywhere. The Political State of Great Britain, a London monthly, carried the Boston dispatches of that July. And the Lieutenant Governor's own report of the case to the Council of Trade and Plantations, sent on the twenty-second of August, survives in the calendar of colonial state papers.

The trial record and Colman's account are reprinted complete in this volume. Where any of the five answers a question Mather leaves open, the passage is set into his text at the point in the story where it belongs, between rules, headed and sourced, so that it can never be mistaken for his voice. Read straight through, the result is the narrative Mather told, with the parts he passed over supplied by the men who were in the same rooms.

## WHY IT MATTERS

What was lost when it ended tends to get lost again under the flags and the buried treasure. The pirate companies of the 1710s and 1720s were not merely criminals in better costumes. They were, briefly and by accident, a working counter-example. They wrote constitutions before the age of constitutions, held votes at sea while the men ashore had none, paid compensation for industrial injury a century and a half before any legislature thought of it, and divided plunder on terms their captors found alarming to describe in print. Whatever else they were, and they were often brutal, they were an argument conducted in public about who owns the sea and who owns himself. That is why the suppression was so thorough, why the trials were held without juries, why bodies were hung in chains where inbound shipping would pass them, and why a minister was sent into a cell to obtain a confession before the drop.

An execution is an assertion of authority. A confession converts the assertion into agreement. What the machinery wanted from the man in that cell was his signature on the proposition that the arrangement which had used him was just.

Whether it got the signature, the reader can judge from the pages that follow. What is certain is that the apparatus wrote down everything that happened in the attempt, and then put it on sale.

## A Note on the Text

This setting follows the Text Creation Partnership transcription of Evans no. 2779, checked against the section structure of the original printing.

Spelling, capitalisation, punctuation, and the compositor's italics are those of the 1726 printing and have been left alone. Mather's heavy dashes are his own and are kept. The long *ſ* has been modernised throughout, being the single change that costs a modern reader nothing and saves him a great deal. Where the transcribers could not read the microform, the place is marked.

The running order is the order of the original: the verse epigraph, the relation of the piracy and the trial, the two conferences with the condemned in prison, the sermon preached on the occasion, its application, and the report of the execution.

Evident misprints in the originals, such as a word set twice, are left standing. Where the transcription records a character as damaged, or gives a reading that cannot be right, and the true reading is not in doubt, the supplied letters are set in square brackets, thus: Hang[e]d. Where the reading is in doubt the gap is marked [illegible], as the transcribers marked it. A damaged hyphen in a compound the same document sets with a hyphen elsewhere, such as Massachusetts-Bay, is restored without brackets. Nothing else has been supplied.

The 1726 pamphlet was published anonymously. Its attribution to Cotton Mather is settled and universal, and his name is given on the title page of this edition without brackets for that reason; the bibliography at the back brackets it, as the convention for an unsigned work requires.

The pagination of the original printings is preserved. A small grey number between bars, like |23|, marks the point at which a page turned in 1726, so that any passage in this book can be cited against the original by its own page. The larger numbers at the foot are this edition's.

Six sources are used. Three are printed complete: Mather's pamphlet; *The Tryals of Sixteen Persons for Piracy* (Boston, 1726, Evans no. 2819), with its six sets of articles, the Advocate General's speeches, the sworn testimony, the defences and every verdict; and the account Benjamin Colman appended to his own execution sermon (Boston, 1726, Evans no. 2735). Three more are quoted where they answer a question the first three leave open, and are named on the block each time.

The three quoted sources are these. *A General History of the Pyrates*, second volume (London, 1728), which preserves speech nobody in Boston chose to record. *The Political State of Great Britain*, vol. XXXII (London, September 1726), which carried the Boston dispatches of that July and the fullest surviving account of the scaffold. And the calendared dispatch of Lieutenant Governor Dummer to the Council of Trade and Plantations, 22 August 1726. Every passage taken from them is verbatim.

The editorial interpolations are set between double rules with a heading and a source line. Passages quoted from the trial inside them are set in italic and are verbatim. Where any other source is described, it is named and not reprinted, so that nothing in this book is attributed to a text that does not contain it.

*Job XXIV.19. He is swift as the Waters; their Portion is cursed in the Earth; he beholdeth not the way of the Vineyards.*

*Thus Paraphrased by the Incomparable Sir Richard Blackmore.*

TO this vile Crue you may the PIRATE add
Who puts to Sea the Merchant to invade,
And reaps the Profit of another's Trade.
He sculks behind some Rock, or swiftly flies
From Creek to Creek, rich Vessels to surprize.
By this ungodly Course the Robber gains,
And lays up so much Wealth, that he disdains
And mocks the poor, unprofitable Toil,
Of those, who plant the Vine, or till the Soil.

---

# A REMARKABLE RELATION

*A Remarkable RELATION OF A Cockatrice crush'd in the Egg.*

---

A Vessel of that sort which they call, a *Snoe,* belonging to certain Merchants in *Bristol,* and commanded by *John Green,* of that City, sailed from *Jamaica,* some time in *April,* 1726. bound for *Guinea.* The Boatswain, *William Fly,* having before concerted with some aboard, (in a way of Revenge, they said, for *Bad Usage*) the Destruction of the *Master* and the *Mate,* and the proper *Consequences,* on May 27. about One a Clock in the Morning, he, with one *Alexander Mitchel,* went into the Cabin, and siezing on the Master, held his Hands, while *Mitchel* wounded him. Then they hawled him up; who perceiving their Intention to throw him overboard, beg'd, *For the Lord's sake, don't throw me overboard; For if you do, you throw me into Hell immediately.* But *Fly* bid him say, *Lord, Have Mercy on my Soul*! And when he siezed the Mainsheets with his Hand, to prolong his Time, the merciless Monsters, with a Cooper's Broad-axe, cut off his Hand, and threw him over-board. While this was a doing, one *Samuel Cole,* presently assisted with *Mitchel* and one *Winthrop,* secured the Mate, whose Name was |2| *Thomas Jenkins,* and brought him upon Deck, telling him, *that he should go after the Master.* Accordingly, having first cut him down the Shoulder with a Broad-axe, they threw him over, just before the Main Shrouds. After he was thrown over, he cried out unto the Doctor, *For the Lord's sake, to fling him a Rope.* But *Fly* soon secured the Doctor, and put him in Irons; and confined the Gunner also and the Carpenter, who were not for their Turn.

## THE TESTIMONY OF MORRICE CUNDON, GUNNER, AT THE HELM

*Sworn at the Court of Admiralty, Boston, 5 July 1726*

*That on the 27th. Day of May [la]st, about One a-Clock in the Morning, while he was at Helm, William Fly then Boatswain of the Snow called the Elizabeth (belonging to His Majesty's Subjects in Bristol in Great Britain) after he had been sometime forward with several Sailors on Board the said Snow, came abauft, with some of them, viz. one Alexander Mitchell, and others, and said to the Deponent while at Helm these words, viz. Damn you, you Dog, if you stir Hand or F[oo]t, or speak a Word, I'll blow your Brains out.*

*And immediately thereupon the said Fly went into the Cabbin, where Captain Green was in Bed, and Alexander Mitchell follow'd him, and while they were there, the Deponent heard the said Captain Green, Cry out, what's the matter? and they soon hawled him upon Deck, and were about to throw him into the Sea; when the said Capt. Green applied himself to the said Fly the Boatswain, saying, For God's sake, Boatswain, don't throw me overboard, for if you do I shall go to Hell: Then the said Fly bid the Captain say after him these words, viz. Lord have Mercy upon my Soul. And soon after he was thrown overboard.*

Benjamin Colman, who attended the same men in prison, adds from the depositions:

*It is affirmed that he caught hold of a rope and held for his life, which when one of the wretches saw he cut off his hand with an ax; and so he dropt into Eternity.*

*THE Story of these wretched men is short and tragical. They sail'd from Jamaica on board a Snoe, John Green Commander, bound to Guinea. They had not been long at Sea before they conspired to seize the Captain and Mate, and then go a pirating. On the 27th of May 1726. they put in execution their wicked design, in a most cruel and barbarous manner. About one a clock in the morning, William Fly* |30| *then Boatswain of the Snoe Elizabeth, after he had been some time forward with several of the Sailors, came aft with Alexander Mitchel and others, and said to Morrice*

> *Cunden (Gunner of the Ship) then at helm, "D—n you, you dog, if you stir hand or foot, or speak a word, I'll blow your brains out." And immediately thereupon he went into the Cabbin where Captain Green was in bed, and Alexander Mitchel follow'd him; and while they were there Morrice Cunden heard the Captain cry out, What's the matter? But they soon hawl'd him upon deck, and were about to throw him into the Sea; when the poor man begg'd of them to spare his life, saying, "For God's sake Boatswain don't throw me over board, for if you do I shall go to hell." But though in the anguish and amazement of his soul he thus pleaded with them, that they would not send him down quick into hell, for that he was not fit to die; yet his plea made no impression at all upon their hardned hearts. Fly bid him say after him these words, "Lord have mercy upon my soul;" and away they hurried the poor surpris'd and astonish'd man overboard. It is affirmed that he caught hold of a rope and held for his life, which when one of the wretches saw he cut off his hand with an ax; and so he dropt into Eternity.*

The General History of the Pyrates, printed at London two years later, gives the words spoken. Captain Green had asked to be put ashore instead, and kept in irons:

> *Ay, God damn ye, to live and hang us, if we are ever taken. No! no! Walk up and be damn'd, that bite won't take. It has hanged many an honest fellow already.*
>
> *For the Lord's sake, don't throw me overboard, boatswain; for if you do, you throw me into Hell immediately.*
>
> *Damn you! Since he's so devilish godly, we'll give him time to say his prayers and I'll be parson. Say after me, Lord, have mercy on my soul, short prayers are best, and then over with him, my lads.*

The same source on the mate, Thomas Jenkins, who was told he was

> *of the Captain's Mess, and they should e'en drink together; it was a pity to part good Company.*

and who, going over the side, called to the ship's surgeon:

> *For the Lord's sake, fling me a rope.*

The articles of indictment name the men in the cabin as William Fly, Alexander Mitchell, Henry Hill, Samuel Cole and Thomas Winthrop. Of the five, only Fly and Cole were brought to trial.

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Two Days after this, they met one of the Ships, that came out in Company with *Green,* and hailing them, ask'd, How Captain *Green* did. They answered, *Very well! At your Service*! But upon consulting, whether they had best attack that Ship, they left her, in Consideration, That they had not Hands enough to Man her. So, they bore away for *North-Carolina*; Where, off Cape *Hattaras* Bar, on June 3. there lay a Sloop at Anchor, whereof the Commander was one whose Name is *Fulker.* Some of the Sloop's Hands went aboard *Fly,* who was now become the Captain of the *Snoe,* supposing them to want a Pilot. *Fly* commanded *Fulker* aboard, and informed him, *They were Gentlemen of Fortune*; and let him know, that they must have the *Sloop,* if it sailed better than the *Snoe.* The contrary Winds rendring the *Sloop* unable to be brought off, our New Captain fell into a great Passion, and swore he would burn her, and bringing *Fulker* to the Geers, (who it seems, unadvisedly provoked them) inflicted a severe Scourging upon him. The Boats Crue, could not bring the *Sloop* any further than the Bar, but there she bilg'd and sank: and the Pirates endeavoured then to set |3| her on Fire, but could not make the Fire to take. *Fulker* and his Men, and his Passengers, were detained Prisoners by *Fly*; But on June 5. they sailed from thence; and on the Day following they saw a Ship commanded by one whose Name is *Gale,* bound from *Barbados* to *Virginia.* They could not come up with *Gale* till the next Morning; when they hoisted their *Black Flag,* and fired several Guns at the Ship; and there being little Wind *Gale* struck; and *Fly* made the Men his Prisoners; but robbed the Ship only of several Sails, and some Cloaths and small Arms; and after a Captivity of Two Days released them; at the same time giving *Fulker,* and one of his Passengers, and a Servant, and *Green*'s Doctor, their Liberty. However they forceably detained one *William Atkinson,* who had been Commander of a Brigantine, but

left her for a Passage home in *Fulker,* bound then for *Boston*: And who had often declared, That if the *Pirates* ever took him, he would humour them, till he could see his first Opportunity to rise upon them. They wanted him to be their *Pilot,* for the Coast of *New-England*; which they told him he should be, or, *They would blow his Brains out.* It seems, they forgot, how bad a Coast *New-England* has been for *Pirates* to come upon! Off of *Delaware Bay,* they met a Sloop commanded by one *Harris* bound from *New-York* to *Pensilvania,* having about Fifty Scotch-Irish Passengers aboard; which upon their hoisting of their *Black Flag* Surrendred unto them. After they had a little ransack'd the Vessel, and kept her twenty four Hours, they forced a Lusty Blade, one *James Benbrook,* from her, and so dismiss'd her. *Fly* bore away for *Martha's Vineyard,* pretending |4| to Water there, and so away for *Guinea*; But the *Pilot* purposely miss'd the port, (whereat *Fly* was very angry,) and on June 23. bearing Eastward, they mett with a *Fishing Schooner,* on *Browns* Bank; from which upon *Fly*'s hoisting his *Black Flag,* and threatning to sink her, the Master came aboard them, & *Fly* told him, he must have the *Schooner,* unless he could inform him, where to get a better Sailor. About Noon, they saw some other *Schooners*; and *Fly* sent that *Schooner* with seven hands after them. *Fly* (who had now entirely sold himself to the God of *Ekron,*) and Three other Pirates, whereof one (*Samuel Cole* aforesaid, was in Irons upon Suspicion of Mutiny, remained aboard the *Snoe*; and fifteen others that had been taken by him; namely, *Fulkers* Mate, a couple of his Boys, *Green*'s Gunner and Carpenter, five of *Gale*'s Men, *Benbrook,* Three Fishermen belonging to the *Schooner,* and our *Atkinson.* While the *Pirates* were gone upon their chase, there appeared in Sight several other Fishing-Vessels; and *Atkinson* by telling *Fly* what he saw, drew him forward, from his two Loaden *Guns,* and *Sword,* which he had with him; and while *Fly* satt on the *Windlace* with his Prospective-Glass, *Benbrook* and *Walker,* (who had been *Fulker*'s Mate) upon the Direction from *Atkinson,* secured *Fly,* and put him in Irons; and *Atkinson* struck another of the *Pirates*; and with the Help of the Carpenter, soon confined the other Two.

Thus they made themselves Masters of the *Snoe*; the rest of the Prisoners all the while standing unactive, not being made acquainted with the Design, which was now managing for their Deliverance.

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## WHAT FLY SAID TO THE PILOT

*A General History of the Pyrates, London,* 1728

Atkinson asked to be set at liberty. The oaths are dashed out as the London printer set them.

> *Look ye, Captain Atkinson, it is not that we care a T——d for your Company, G——d d——n ye, G——d d——n my Soul, not a T——d, by G——d, and that's fair; but G——d d——n ye, and G——d's B——d and W——ds, if you don't act like an honest Man, G——d d——n ye, and offer to play us any Rogue's Tricks, by G——d, and G——d sink me, but I'll blow your Brains out; G——d d——n me if I don't.*
>
> *Now, Captain Atkinson, you may do as you please, you may be a Son of a Whore, and pilot us wrong, which, G——d d——n ye, would be a rascally Trick, by God, because you would betray Men who trust in you; but, by the eternal J——s, you shan't live to see us hang'd.*
>
> *I don't love many Words, G——d d——n ye, if you have a Mind to be well used you shall, G——d's B——d; but if you will be a Villain and betray your trust, may G——d strike me dead, and may I drink a Bowl of Brimstone and Fire with the D——l, if I don't send you head-long to H——ll, G——d d——n me; and so there needs no more Arguments, by G——d, for I've told you my Mind, and here's all the Ship's Crew for Witnesses, that if I do blow your Brains out, you may blame no Body but your self, G——d d——n ye.*

Fly then forbade him to speak with the other forced men, and had a hammock slung for him in the cabin so that he could not talk to them at night.

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## THE TESTIMONY OF GEORGE GIRDLER, JOSEPH MARSHALL AND WILLIAM FERGUSON

*Sworn at the Court of Admiralty, Boston, 4 July 1726*

> *That the said Schooner was taken on the 23d of June last, as she lay too, a Fishing on Browns-Banks, so called, by a Snow called the Fames Revenge, one William Fly Master; who caused a Black Flagg to be hoisted, and fired a great Gun at her; but the Witnesses when they went on Board the Snow did not see the Prisoner Armed.*

In every article of indictment the vessel is the Fames-Revenge, formerly called the Elizabeth.

|51| On June 28. the Happy *Captors* brought in their *New Captives*; having *taken them Captives, whose Captives they were.* So, *The Triumphing of the wicked,* was *but for a moment.*

## HOW THE SHIP WAS RETAKEN

*Benjamin Colman, from Mr. Atkinson's own account, Boston, 1726*

> *THUS bloodily these inhumane Creatures began their Piracy, but Vengeance follow'd them and suffer'd them not to live.*
>
> *William Fly, the chief and worst (we may suppose) of these barbarous rogues, took on him the Command, and named the Snoe the Fames Revenge. They were well stored with Powder, and Rum and Provisions, but wanted a better Vessel; and in quest of this it is likely they bent their course first to Carolina and from thence to New England. On the third of June they took a Sloop at Anchor off North-Carolina, on board of which was Mr. William Atkinson a Passenger; who was afterwards the happy Instrument in the hand of God for their destruction. They very much needed one so well skill'd as Atkinson was both as a Mariner and Pilot, and Fly treated him well on that account, but kept a strict eye upon him,*

*forbidding him to have any conversation* |32| *with the forc'd men; and lest he should he had a hammock given him in the Cabbin.*

*THEY commanded him to carry them to Martha's Vineyard in order to wood and water there, and in hopes to meet with some Sloop sitting for their purpose This is Mr. Atkinson's own Account of things.: But he resolved to run the venture of carrying them past the Vineyard, and run them up into or near the Bay before they were aware of it. When they perceiv'd it they began to look upon him with an evil eye, & spake of throwing him overboard. But as Fly was uttering his rage at him the next morning on this account, and telling him what death he should die if any thing ill befell them thro' his conduct, a Schooner came in sight which put an end to Fly's rage, for the joy of a good Prize. They found it a Schooner of Marblehead, George Girdler Master.*

*Mr. Atkinson had some time before this meditated the seizing on Fly and Company, and found means secretly to communicate his mind to some on board, whom he thought he might trust; particularly to Samuel Walker, and Thomas Streaton; and Walker had spoken of it to James Benbrook; who all consented if a fair opportunity should offer.*

|33| *IT was very necessary to his design to ingratiate himself, as far as he honestly and with a good conscience could, with Fly and his Pirates. Yet in doing this he ran a risque both of his innocence and his life: Of his Innocence, for with a furious man thou shalt not go, lest thou learn his ways and get a snare to thy soul; And of his Life, for as some of the Pirates, the Captain especially, began to think friendly of him and to hearken to his Advice; (they all depending on him to navigate the Ship) so if a Ship of War had taken them it is to be feared that he had in vain pleaded his innocence and good intentions. But the good God who preserv'd, has also pleaded his innocence. And we ought to praise his virtue, conduct and courage, and give God the glory of it.*

*Fly had no sooner taken the Schooner of Marblehead, but they discovered another at a distance from them. Whereupon he put three men on board the Schooner, and purposed to bear down on the new Sail with both his Vessels. But Mr. Atkinson with a ready thought advised him to put six men into the Schooner and send her down on the fishing Vessels, being her self one of their company but a day before, and so there would be no likelyhood of their*

*flying from her: but (said he) if the Snoe and the Schooner now bear down together they'll take you for what you are, and make away* |34| *from you. Fly came into his advice and put three men more into the Schooner, and parted with her, standing a course wide from her.*

*NOW Atkinson's thoughts were hard at work how to draw Fly away from his Arms on the quarter-deck. For there he kept alone, nor would suffer Atkinson to step up, so much as to set down the Bowl of punch after he had drank to him. And probably a Message which he receiv'd from a chief Pirate on board the Schooner, by the boat, "To have a special care of his Friend," did increase his jealousie; tho' he seem'd only to laugh at it.*

*WITHIN a little while Atkinson spied a Sail a head to the Leward, and informed Fly of it. And presently after he pretended to discover two or three more sail, and told him he would have a fleet of prizes. But Fly with his glass could see but one. Why said Atkinson, If you were but here, Sir, with your glass, a-head, you would easily see them all. On a sudden Fly forgat his caution, and comes off the quarter-deck, where his arms lay, and sets him down a-head to spy the Sails spoken of. Then Atkinson gave the sign to his friends, and Walker follow'd by Benbrook came up, pretending at first to direct the Captain to look a point or two on such a side, while Atkinson (a spare and slender man) pass'd aft toward the Arms, and in the instant* |35| *that Walker laid hold of Fly he took the firearms, and returned pointing the gun to the Pirate's breast, and telling him "He was a dead man if he did not immediately submit himself his prisoner." The wicked Fly earnestly begg'd for his life, and now found that mercy which he had so barbarously denied to his innocent Captain.*

*IN the midst of this struggle the Pirate Greenvil put up his head from between decks: for there as Providence order'd it He and Condick were at this instant; and as for the pirate Cole he had been in Irons for two days before, by Fly's order, for some mutiny he had made. This it was that render'd the subduing them so easy to Atkinson and his three Companions: for now Streaton had fallen in, and guarded one place, while Atkinson did the other, keeping the Pirates down. The Action was so surprising to the other Forc'd Men, that for a time they stood astonied and like Men amazed, not capable of acting for their own deliverance; altho' vehemently call'd upon and threatned by Atkinson. But in a little time they came to themselves and joyfully fell in with their Deliverers.*

*WHEN Fly found himself chain'd down and effectually secur'd, he fell at times into the most desperate ragings, cursing himself and her that bare him, and the Day wherein he was born;* |36| *cursing the very heavens & in effect the God that judged him; Cursing all rovers that should ever give quarter again to an Englishman; and wishing all the devils of hell would come and fly away with the Ship: The same Blasphemer now in his furious despair, or worse than he ever was before in his jollity and pride; when he wou'd sometimes even dare to ridicule the noise of Gods Thunder, as it rattled over him, Saying, "That they were playing bowls in the Air," &c. and as the Lightnings sometimes flash'd upon them, he would say – "Who fires now? Stand by," &c. – So he dar'd the dreadful Vengeance, which persu'd him swift as the Lightnings and suddenly struck him.*

*BUT Capt. Atkinson and his brave Mates are much to be prais'd, that they dealt so mercifully with these bloody Men; and neither blew their brains out (their own phrase) nor threw them overboard. Blessed be God that kept them that day from shedding blood, and from avenging themselves with their own hands. It was much better to reserve the Murderers to the Judgment of the Law, in the proper course of it. Hereby the guilty Miserables had a space granted them for repentance, and were bro't under the happy means of it; Means happy we hope to two of them, namely Greenvil and Cole.*

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And, the *Special Court of Admiralty* which the *Act of Parliament* has ordered for the Trial of *Pirates,* [Whereof the chief Judge, was the Honourable WILLIAM DUMMER Esqr. the Lievtenant Governour, and Commander in Chief, of the *Massachuset-Province,*] quickly tried these *Four Pyrates,* and after plain and full Conviction, on July 3. pass'd the just *Sentence of Death* upon them; namely, upon *William Fly,* the upstart Captain, who was a Young man, about Seven and twenty years of old; *Henry Greenville,* a married Man about foriy seven years of Age; *Samuel Cole,* about Thirty seven years of Age, having a Wife and seven Children; And, *George Condick,* a Youth of Twenty, or thereabouts.

## THE COURT OF ADMIRALTY AT BOSTON

*The Tryals of Sixteen Persons for Piracy, 4 and 5 July 1726*

The court sat at the Court House in Boston under His Majesty's commission, founded on the Act of Parliament of the eleventh and twelfth years of King William the Third for the more effectual suppression of piracy, and made perpetual by an act of the sixth of King George. William Dummer, Lieutenant Governor, presided, with eighteen commissioners of the Council, Samuel Sewall, Chief Justice, the Judge of the Vice Admiralty Court, the commander of His Majesty's ship Sheerness, the Secretary of the Province, and the Surveyor General of North America. Robert Auchmuty was Advocate General. Sixteen men were arraigned. The whole record is printed in this volume at page 55.

The first prisoner tried was William Atkinson, who had retaken the vessel from Fly and carried her into Boston. He pleaded not guilty, and the Advocate General opened against him thus.

> *I therefore Articled the Gentleman on Tryal, not with the prosp[ec]t of Conviction, but that the Laws may be Complied with. And [as he] has an Opportunity of Manifesting his Innocency before Your Honours, whose Wisdom and Justice will render his Acqui[tt]al much more Honourable, if by you judged Not Guilty.*

Atkinson was voted not guilty nemine contradicente and discharged without fees. Eleven others were likewise acquitted. Four were convicted: Fly on all articles, Henry Greenvill on all six, Samuel Cole on the first four and not on the last two, and George Condick not guilty of the article of murder and guilty of the other five. Sentence was passed on Fly in these words.

> *You William Fly are to go from hence to the Place from whence you come, and from thence to the Place of Execution, there to be Hang[e]d up by the Neck until you be Dead, And the LORD have Mercy upon your Soul.*

On 22 August the Lieutenant Governor reported the matter to London, enclosing a copy of the printed trial. From the calendar of his dispatch to the Council of Trade and Plantations:

> *Encloses ratification of Peace with Indians, and trial of pirates, one of whom is recommended for H.M. grace. I shall pursuant to H.M. Instructions inclose your Grace an inventory of the piraticall goods taken on the said pirate in order to receive H.M. directions concerning the disposall thereof.*

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They were now cast into a place, Where, besides the *prayers,* which abundance of Godly Christians made for them, That in *the Destruction of the Flesh* their *Spirit* might be *Saved,* great pains were taken, by the Ministers of City, to dispose them for a Return unto God.

Because, it may be Edifying to the *Survivers,* whatever it might be unto the *Criminals,* [Whereof one, appeared all along a very Hardened Wretch, and a Fearful Instance of Divine Dereliction,) here shall be inserted a Relation of *Two Conferences* with them.

# THE FIRST CONFERENCE

*A Conference, with the Pirates. July 6. M. stands for Minister. P. P. for Pirates.*

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M. UNhappy Men!– Yet not hopeless of Eternal Happiness!– A Marvellous Providence of GOD has put a *Quick stop* to a swift Carriere you were taking in the *paths of the Destroyer.* But had you been *at once* cut off in your Wickedness, what had become of you? A merciful GOD has not only given you a *space to Repent,* but has ordered your being brought into a place were such *means* of Instruction will be Employ'd upon you, and such *pains* will be taken for the Salvation of your Souls, as are not commonly Elsewere to be met withal, May this *Goodness of GOD lead you to Repentance!* – Among other and greater proofs of This, you will accept the *Visit,* which I now intend you.–

P. P. *We thank you, Syr.*

M. The poor men, whom you murdered, You *hurried* out of the world; You allow'd *them* no *space to Repent.* They begg'd at least for a *little Time* if you would not be disswaded from Killing them;–that you would not immediately bring on them the *Death,* which with a prodigious Anguish, they told you, they were *unprepared* for. A Gracious GOD has not so *hurried* you out of the world, but given you some *Time,* to *prepare* for your |7| *Death.* And verily, you must not think now to brave it out so sottishly and hardily, as I am told, some of you have made some Essay to do. You have now to do with an Infinite and an Almighty GOD. You must not think to Mock at the *Thunder* of an Omnipotent GOD, or laugh at a *Damnation* which now slumbers not. A most Holy GOD, whom you have provoked by horrid Crimes, and Offences that cannot be numbred, has evidently *begun* to Execute his

*Vengeance* upon you. You yett see but the *beginnings of Sorrows,* if you don't seasonably seek a *Deliverance from the wrath to come.* Something within you, tells you, That the great GOD is *Angry* with you; And, *who knows the power of His Anger*! You are going to appear before a Glorious GOD, with *whom there is a Terrible Majesty.* You are within a very few Days, to be thrown into those *Hands,* which if you dy in Ill Terms with Heaven, you will find it *a fearful thing to fall into.* Now, tis only in the Way of REPENTANCE, and in the Flight of a Repenting Soul, to a REDEEMER, that you can be saved from the inconceivably Miseries in the Future *State* and *World* which you are now presently to pass into. In these awful Circumstances, you are willing to be advised!

P. P. *Yes, Syr!*–

M. Your case is very Bad: Wretched, Forlorn beyond Expression. But, you must not look on it as *Desperate.* You must not say, *Our Hope is lost.* There is yet *Hope in Israel* for you. 'Tis true, There's no *Hope* of your *Living* any longer in this World. Nor indeed have you ever yet *Lived.* You are no longer capable of having that *Mercy* shown you that shall prolong your *Life* Your *Life* here is |8| forfeited! *Humane Society* has been so wrong'd by you, that you may not be suffered any longer to continue in it. But there is yet room for you to *Hope,* and *look for the Mercy of the Lord JESUS CHRIST, in an Everlasting Life,* And will not the Thought of This, wonderfully melt and break your Hearts within you! Tho' you have been so *wicked overmuch,* that the Sword of Justice can do no other, than Cause you to *Dy before your Time,* yet there is *Mercy* with GOD for you, if you *Return* to Him; yea, He will *Abundantly Pardon* you; and you may after *Death* be received into the *Rest* and *Peace* and *Joy* of an Heavenly *Paradise*: And the great REDEEMER, will *Remember* you, [as He will a Penitent *Thief*!] when he *comes in His Kingdom,* and in the *Resurrection* of the Dead *Remember* you with the *Favour which He bears unto His People.* Will

you then with awakened Souls, attend unto what I am going to set before you; and will you *set your Hearts unto* it?

P. P. *We hope, we shall.*

M. You have something within you, that will compell you to confess, That the Things which you have done, are most *Unreasonable* and *Abominable.* The *Robberies* and *Piracies,* you have committed, you can say nothing to *Justify* them.

P. P. *No, Syr, Not a word!*

M. It is a most hideous Article in the Heap of Guilt lying on you, that an Horrible *Murder* is charged upon you; There is a cry of *Blood* going up to Heaven against you.

P. P. [Under all the marks of Confusion.] *Fly* said, I *can't charge my self with Murder. I did not strike and wound the Master or Mate! It was* Mitchel *did it!*— |9| The rest said, *There was a Murder; and whatever* Mitchel *and this Man did, we were aiding and assisting to it. And it is the dreadfullest of all the Things we have to think of.*

M. *Fly,* I am astonished at your stupidity. I cannot understand you. I am sure, you don't understand yourself. I shall be better able, another time to reason with you. *Fly* said, *It is very strange another should know more of me, than I do of myself. There are False Oathes ta-against me.*

M. You can't wonder at it, if Mankind agrees to treat you as the *Common Enemies of Mankind.* You can't complain of it, if the Government pass a *Sentence of Death* upon you.

P. P. *No, Syr, we can't.*—

M. Certainly, The GOD of Heaven has been greatly Offended at you, for some Things in your former Conversation. Certainly you *sinned Grievously,* before you were left unto the Crimes, which have now brought such a Tragical End upon you. Certainly, you have by some Extraordinary Gratifications of the *Devil,* procured his having such an *Advantage* on you, and such a *possession* of you, as

appeared in your being thus *Led Captive by him to do his will.* What is it in your *former Life,* that lies now most heavy upon you? Say, *Fly.*

P. *My horrid Swearing and Cursing.*

M. Say, *Cole.*

P. *My Swearing and Cursing, and my Drunkenness.*

M. Say, *Greenville.*

P. *I must say the like, my Swearing and Cursing, and my Drunkenness.*

M. Say, *Condick.*

P. |10| Fly, *Syr, He is a poor Creature, He knows nothing! – If he ever Learnt any Catechism, he has forgott it all.*

M. Alas, what shall I do? – I will talk more *Separately* with him, another time. In the mean time, Do you, *Condick,* Mind as well as you can, what I say to these. I will speak so plainly to *them,* if it be possible, that *you* may understand it. You are all Sensible, That there lies upon you a Necessity to *Turn* and *Live* unto GOD.

P. P. *Yes, Syr.*

M. Do you feel, that you *cannot* of yourselves, (or if He don't help you,) *Turn* and *Live* unto him?

P. P. *Yes, Syr.*

M. Do you own, that you are *not worthy* of his Help; no, that He may *justly withhold* from you, the Influences of His *Grace,* which you have despised!

P. P. *Yes, Syr.*

M. This *Humiliation* must be laid in the Foundation, of your *Conversion* to GOD. And now, you acknowledge, That you have broken all the *Commandments* of the Glorious GOD.

P. P. *Yes, Syr.*

M. You will, by'nd by take the *Catechism,* and see what is *Forbidden* and what is *Required* in the *Ten Commandments,* and examine what your *Miscariages* have been, in each of the points referr'd unto. — But know, That in all your Sins, you have *Denied the GOD that is above*; trampled on your SAVIOUR; Vexed His Holy SPIRIT; pleas'd the *Devil*; and brought Mischiefs and Ruines on yourselves. In every Sin, you have done, *An Horrible Thing*! And, you have *done very foolishly.* You think so.

P. P. |11| *We do so.*

M. But now, you must go back, and go down, to the *Root* of all your *Wickedness.* The sin of your *First Parents* in eating the *Forbidden Fruit,* was a very *Vile Rebellion* against the Glorious GOD. *You* were in that Rebellion. From hence there is derived unto you a *Corruption* that is the very *Image* of *Satan,* whom you in your *First Parents* did hearken to. All the Faculties of your Souls are depraved and enfeebled in this Corruption. You have in you an *Heart* that is *desperately wicked*; an *Heart fully set in you to do evil.* If you have been *Restrained* from any *actual Enormities,* it is not because you have not had an *Heart* inclined that way, but because GOD has *witheld you from sinning against Him.* You have in you a Disposition to, *All manner of sin*! You are aware of This.

P. P. *We believe it.*

M. By these things, you Deserve all the *Sad Things,* which have ever yet befallen you, from the Hand of an Offended GOD. Yea, you deserve all the *strange Punishment reserved for the workers of Iniquity,* in that *Hell* which the word of GOD has called, *The place of Torment.*

P. P. *We do.*

M. Now, *How shall you escape the Damnation of Hell?* Hear with Astonishment, the good and glad Tidings which I am to bring you; The *Gospel* which is to be *preached unto Every Creature*! — The Eternal SON of GOD, the second of the Three Persons in the eternal Godhead, has taken the Man JESUS into one Person with Him-

self This GOD-MAN, has placed Himself in the Room of His people. The *Law* of GOD is armed with |12| a *Penalty.* The *Penalty* is the Destruction of the Sinner. It must be Executed; There can be no dispensing with it. But our good GOD has allow'd of it, that His JESUS undergo the *Penalty* of the Violated *Law* for us. He has undergone it. He *Dyed* in our stead. He became a *Sacrifice* for us. There fell upon Him the *Punishment* that was due to us for our Sin. When we come to plead This, as we ought to do, GOD will Release us from the *Punishment.* Now mind Exceedingly! — You must cast yourselves in the Dust before the Lord, and weep to Him with unspeakable Agony, and plead at this rate before Him; — *O Great GOD; Let me escape the Death due to me for my Sin, because my SAVIOUL has Dyed for me. Let the Blood which my SAVIOUR shed for His People, procure my Salvation from what my Sin has expos'd me to.*— You will try to plead thus, and so Hope for *Mercy,* with a GOD *Ready to Pardon.*

P. P. *We hope, we shall.*

M. You must now Remember, That the *Gates* of the *Holy City,* will *stand open* for none but the *Righteous Nation.* The *Law* of GOD will shut those *Gates* upon all that can't show a *Righteousness,* which will fully come up to all the Demands of it. You must be owners of a *Righteousness,* which has no Imperfection in it, or the *Law* of GOD which is the Everlasting and Unalterable *Rule* of it, will never admit you into *Blessedness.* What will you do in this awful case?

P. P. *Repentance will do for us, instead of it.*

M. No, It won't. — But, mind the only *Refuge,* you must fly to. Oh! Fly to the *City of Refuge,* that is now to be set open for you. Even *Wilful* |13| *Murderers,* may enter there. — Our SAVIOUR is become our *Surety.* He had a most *Holy Heart*; He led a most *Holy Life*; He yielded a most perfect obedience to the *Law* of GOD. No *Fault* could ever be found in Him. This was to produce a *Righteousness,* for His People, Renouncing all Dependance on their own, to plead for their Acceptance with GOD. It was *He* that *made* the

*Law.* It was for *our sake* that He put Himself under it. You never can make yourselves a *Righteousness.* *You,* of all Men Living, are Spoilt for *That*! But now, *O what an Amazing Thing! You,* as wretched as you are, have this *Righteousness* provided for you. You have now a Tender of it, as a *Cord* thrown out unto a drowning Man. *You*! —that were far from throwing out a *Cord* unto the poor Men, whom you cast into the Ocean to perish there! — Oh! Lay hold on this precious *Cord*; and thus pour out your Tears before the Lord. *O Holy GOD, Tho' I am the most unrighteous Wretch that ever appear'd before thee, yet I desire JESUS CHRIST the Righteous, to be my Advocate in the Heavens. That Righteous One has been and has done all that thy Law calleth for. For the sake of that Righteousness, Oh! Let the Blessedness of the Righteous, be what this Lothsome Sinner shall arrive unto!* Will you *Consider what I say,* and beg of the Lord, that He would give the *understanding* of it.

P. P. *We hope we shall.*

M. Well; But if the *Offering* of your SAVIOUR, do avail for you, there will be produced a *New Heart* in you; Your *Heart* will now close with GOD; and you will make the *Service* of GOD, the the *Chief End* and *Main Work* of your Life. And |14| GOD will be to you, what you have heretofore vainly sought in *Creatures.* The *Love* of GOD will be *Rooted* in your Souls; and all the *Branches* of PIETY will be found growing upon it. You will say, *What have I any more to do with Idols?* You will not *Sin,* to please the *Flesh,* or the *World,* or the *Devil.* You will *have Respect unto all the Commandments of GOD.* This *Wisdom* you *lack*; Alas, Destitute have you been of it, all your Days! But, the Direction is, *If any Man lack Wisdom, let him ask it of GOD*! Send up then, Oh! send up a Cry that shall pierce the Heavens; *Lord, Bestow a New Heart upon me!* You must always remember, *Without Holiness no Man shall see the Lord.* You cannot be Received into the *Heavenly World,* if you have not first an *Heavenly Heart. Heaven* could not bear *you* to be in it; Nay, which is a dreadful word, *You* could not bear to be in *Heaven,* if you have not

another *Biass* prevailing on your *Heart,* than what you have had, while you have been *Wandring from the Way of understanding,* and *going astray from GOD in the Greatness of your Folly.* You must therefore most Earnestly Beseech your SAVIOUR, to *Unite* you unto Himself, & by His Good SPIRIT *Quicken* you for *Living unto GOD*: and *fulfil in you all the good pleasure of His Goodness.* Thus, I have in a *few words* given you the *Sum of the Matter*; which I hope, you will *Think over,* when I am departed from you. For *one Conference,* thus much may be Enough, if you will try when I am withdrawn, to *go over* the *Way of Life* that has been set before you. *I* will at this Time add only this *One Remark.* If you come to the *Repentance* that is unto *Salvation,* it |15| will appear, in *Dispositions,* that will be the Reverse of Those, which have push'd you on, to the *Sins Repented* of. I'l Illustrate it, with Two Instances. First, That which push'd you on to Robberies and Piracies, was an Immoderate, Inordinate, Irregular Desire of *Worldly Possessions.* Now, if you *Repent,* you will have a Disposition patiently to bear any *Wants* and *Straits,* that GOD may order for you; and rather suffer any *Poverty* and all sorts of *Difficulties,* than Sin, or do any Unlawful Thing, to gain the World. In this point how do you find yourselves disposed?

P. *Fly, – Be sure, I have nothing more to Expect from the World.*

Co. and, Gr:. We *hope, we should never do as we have done.*

M. Secondly, That which has push'd you on to *Murders,* as well as *Robberies* and *Piracies,* was an *Hatred* of your *Brother,* 'Tis what you have carried on to the last Extremity, A most *Finished Hatred*; Now if you Repent, you will have a Disposition full of *Benignity; Good will towards Men,* will sweeten your Minds; You will have an Hearty *Love* to your Neighbour. You will *Wish well* to every one, whose *Welfare,* is Consistent with the public Safety. Now, shall I Enquire after this point also; How you find yourselves disposed in it? Say– *Fly* particularly, Do you say; Are there any in the world, which you don't wish well to.

P. Fly. *Yes; There is one Man, that I don't, and I can't wish well to! It is a Vain Thing to ly, If I should say, that I forgive that Man, and that I wish him well,* |16| *I should ly against my Conscience, and add Sin to Sin.*

M. Alas, Man, Thou dost *add Sin to Sin.* To bear *Malice* against your Neighbour, or be unable *wish him well,* tho' it be not a *Lye,* yet it is as great a *Sin* as a *Lye.* But you must part with *all Sin,* if you would find the *Mercy* and have the *Comfort* of a *Penitent.* The Great GOD has over and over again required you to *put away all Malice,* and *lay aside all Malice.* Yea, the SON of GOD, the *True witness, who delivereth Souls,* has expresly told you, *That if you do not Forgive, you shall not be forgiven.* I hope, the *Lords-Prayer* is not forgotten with you. Our Lord has taught us to pray, *Forgive us as we forgive.* I hope, you *pray* according to that *Prayer.*

P. Fly. *Yes, I do! –But for all that, I cannot Forgive that Man. GOD Almighty Revenge me on him! – 'Tis a Vain thing – I won't dy with a Lye in my mouth,*

M. Thou talkest like a Madman! – I hope that you will take pains with your own Heart, and cry to God for the Help of His Grace, that you may be disposed, as you know you should be; and that I shall find you in a *Better Frame,* when I come again to Visit you. I hope, I *now* find the rest of you so.

P. P. Co. and Gr. *We heartily forgive all the World; and wish well to every Man.*

M. I have Supplied you with several Books of PIETY, to assist you in your Preparation for the Death before you. I hope, you allow some Time to a Serious Perusal of them. One of them, is Entituled, *The Converted Sinner*; and was occasion'd, by the last Predecessors you had in the state and place you are now brought into.

P. |17| Fly. *I read that Book before ever I was brought hither!*

M. –And yet, come *hither*! An Aggravation of the Crimes that have brought you *hither*! –But, above all; You have the Holy BIBLE in

your Hands. 'Tis the *Word of Life.* Oh! Read it, and Learn from it how to call upon the GOD, that speaks unto you in it. Particularly, Meditate on the *Fifty first Psalm,* and let that *Psalm* teach you how to *pray* under your *Blood-guiltiness.* But whatever *Form of Prayer* may be commended unto you, see that it be always the *Prayer of the Soul,* which you address to the Glorious GOD: The *Prayer of a Soul,* full of *Agony,* Mourning for your Sin, —*Wo is unto me that I have Sinned,* and Groaning to your SAVIOUR, O *Wretched one that I am, Wilt thou Deliver me*! We will now *pray* with you and for you.—

# THE SECOND CONFERENCE

*A Second Conference. July. 9.*

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M. ACcording to your Desire, which I am always ready unto the best of my power to Gratify, I have used my humble Intercessions, with His Honour the Lieu. Governour, to grant you a Reprieve of Two or Three Days, that you may have Time to make more Thorough Work, in the *Process of Repentance* which is, *The one Thing that is Needful for you.* He is a Person every where known to be of an *Excellent Spirit,* and as he is one of unspotted *Equity,* so he is one of uncommon *Clemency.* It afflicts him, that he cannot grant you such a *Small Releef,* but, as the *Special Court* by which the *Time* and *Place* of your *Death,* were Agreed, Voted, and accordingly Registred, is now dissolved, he apprehends it improper for him *now,* to alter any thing about it. But in *this very Thing,* you may now see the Hand of an Holy and a Righteous GOD, obliging you in some Degree to say, *As I have done so GOD has Requited me*! The Men whom you Murdered, *they* begg'd, *they* pleaded, *they* with the *Groans of a Deadly wounded Man* importun'd you, that you would Allow them a *Little Time,* and not hurry them out of the World. But, *Unmerciful Creatures,* You were Inexorable. — And now, you Petition for a *Little Time*; and so has the Glorious GOD ordered [19] it, that it *cannot* be granted you. May *this very Thing* help to awaken the Sentiments of *Repentance* in you. Especially since the *Long-suffering* of GOD, has allow'd more than a *Fortnights* Time of *Recollection,* to you that would not allow a *Moments* Time, to them whose *Blood* is crying to Him against you. And now, *Fly*; I hope, you are come to a *Better Frame,* than what I lately left you in.

F. *I am where I was.*

M. I am sorry for it. What? Is not your Heart yet prevailed withal, to let the Leaven of *Malice* be purged out of it? Can't you *dy,* wishing *well* to every one?

F. *'Tis a Vain Thing to dissemble. No; I can't. There are those, that I can't Forgive.*

M. But you *must*; and you must Resign your Heart up to your SAVIOUR, that by the Influences and Assistences of His *Grace,* you *may.*

F. *But I can't. – And I won't go out of the World, with a ly in my mouth.*

M. What Criminal and prodigious *Nonsence* are you guilty of! –And yet you'l *go out of the World,* with what is *as Bad* in your *Heart*; Even with *Murder* there, You will *go out of the World,* in a plain *Rebellion* against a Command of GOD our SAVIOUR, the Glorious One, who is the *Judge of the World*; whose *Judgment-Seat* you must appear before. Has not the Great GOD our SAVIOUR, Expresly commanded you, *To forgive,* even the greatest of Enemies and of Injuries; and set before you an admirable and most Imitable *Example* of doing so? Dare you to *Dy,* persisting in a plain and a known *Disobedience* to Him? Can you imagine, that |20| He will be the *Author* of an *Eternal Salvation* for you, if you flatly refuse to *Obey* Him? O Vain Imagination! O Vile Imagination! And I pray what, have you to say of the Government?

F. *GOD Reward them according to their Deserts.*

M. You must not go on in this Impiety.

F. *I can't help it!*

M. But, you must get *Help* for it. Certainly, you pretend some Hope to be *Forgiven* by GOD. Have not you *wrong'd* the Great GOD of Heaven infinitely more, than it is possible for any *Man* and *Worm* upon Earth, to *Wrong* you?

F. *Be sure!*

M. Will you then hope to have *Ten Thousand Talents* frankly *forgiven* to *you,* & not forgive the *Farthing,* which is the most of the *wrong* that can be done to you? Nay, The Man that you say, has done you the greatest *Wrong,* has in Reality done you, what would prove the greatest *Kindness* and *Service* that could be done you, if you would wisely make a due Improvement of it. He has put a stop to a *Course* of *Wickedness,* in which you were apace running on Headlong to *Hell.* He has brought you into the way of *Repentance* & *Salvation.* You may Bless GOD forever, for what you call the *Wrong* that has been done you; and, if you be not a *Madman,* you will do so.

F. *I must be where I am. 'Tis in vain to say any more.*

M. I will say thus much more; and the Blood of your Soul would ly upon me, if I should not say it. If you go away in this obstinacy, you cannot look for any other, but that *He who made you* |21| *will not have Mercy on you, and He who formed you will shew you no Favour.* I will pass from This, to another Matter, wherein I hope to see some *Relentings* begun upon you. Your *Murders,* your Cruel and Bloody *Murders*!—

F. *I can't Charge myself, – I shan't own myself Guilty of any Murder, – Our Captain and his Mate used us Barbarously. We poor Men can't have Justice done us. There is nothing said to our Commanders, let them never so much abuse us, and use us like Dogs. But the poor Sailors –*

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## THE SAME COMPLAINT, THREE TIMES MORE

*Colman, Boston 1726; and Mather, later in this volume*

Benjamin Colman, on the morning of the execution, after Samuel Cole had handed over his written confession:

> *Samuel Cole in the morning before his Execution delivered a Paper, wherein he confess'd and bewail'd "his giving himself in his youth to the sin of drinking; and that while a boy he learn'd and addicted himself unto the too common sin of Swearing and blaspheming the great and fearful*

> *Name of God: Also his early defrauding his Master by stealing Liquors for wicked men, who entic'd and encourag'd him to do it: Also that when he arriv'd to Manhood he consulted nothing but sinful pleasures, drinking, whoring, dancing, &c. He desired all Sea-faring men to take warning by his shameful and ignominious death; which he was now come to by listning to the wicked words and actions of horrible men. He confess'd himself to be justly condemned, and gave abundance of thanks for the assistance of many good Ministers, their kind Exhortations and good Doctrine to him; He ask'd their continued prayers, and the prayers of all good people,* |39| *for his poor soul to the last hour of his life; and express'd his hope, thro' the blood of his dear Redeemer Jesus Christ his Lord, of entring into the Kingdom of heaven."*

And Mather, preaching over the four of them on the Lord's day, turning from the sailors in his congregation to the shipmasters. The passage is at page 45.

> *I would presume upon an Address to the Masters of our Vessels, that they would not be too like the Devil, in their Barbarous Usage of the Men that are under them, and lay them under Temptations to do Desperate Things. We allow, Syrs, That you must be Commanders aboard, and you must keep a strict Hand over your Men; and you may, as Times go, too often have occasions for Severities; But still, there must be no room for Barbarities.*

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M. What's this, to clearing you of the horrid *Murders* you stand convicted of?

F. *I never Struck, either of the Persons!*

M. You held the Captains Hands down, while *Mitchel* struck him:

F. *No, 'Twas to Save him from the strokes.*

M. And hawle him out of the Cabin, and throw him overboard! But who *plotted* the *Revolution* aboard the Ship? a Day or Two before! What was your *Intention* about the Captain and the Mate, when you should sieze them? Why did you carry *Mitchel,* with his Broad-Axe into the *Cabin?* Who threw the Captain and the Mate overboard? If *Mitchel* was the only *Murderer,* why did you not

sieze him, and reserve him for *Justice?* Were the *Murders,* any other than one Article, in the *Complicated Plot* of *Piracy,* which you were now upon? Every step that any one of you all, took in the *Piracy* you have been prosecuting, involved you all in the *Murders,* which the *Piracy* begun withal? And, who was it that gave the Ghostly Advice to the Captain, how to make *Sufficient Preparation* for |22| the Eternal World? I hope, you now think, a more *preparation* to be Necessary.

F. *I shan't own my self Guilty. False Oathes are taken against me! —Cole* now said, *I desire to be removed out of the Room; I can't bear to stay and hear, my Guilty Companion, so stand upon his Innocence. He and we are all verily Guilty. And there's the Blood of the Captain yet in the Cabin, crying against us. —Greenville* Concurr'd unto what he said.

M. Miserable Man, You know the Word of GOD, *That no Murderer has Eternal Life.* And *Murders* cannot be *pardoned,* if they be not Confessed, Bewailed, and Repented of. We can do no more, but with *Tears* [which, alas, you have not for yourself!] Lament the unaccountable and unparallel'd *Obduration* that you are given up unto; and Beseech you to *Consider your ways*; and send up our Cries unto the GOD of all Grace, to bestow a *New,* and a *Right,* and a *Soft Heart* upon you. I have done with you, any further than to ask your Attention unto the brief *Instructions,* which your *Three Brethren* here are now expecting of me. Poor *Sons of Death*; Be attentive to the *Words of Life*; and Hearken as for Eternity. You are in most affecting Circumstances. If you Dy two or three Days hence, in ill Terms with Heaven, you will be doom'd and thrown into Miseries, inconceivably more grievous, than any things which you ever have in this World been vexed withal. Your *Spirits* will be continually tortured with the furious and rending Scourges of a *Guilty Conscience.* An Infinite GOD will arm your *Conscience* |23| to make direful Reflections on your past Misbehaviours. You will fall into the Hands of *Devils*; you may guess a little, how *they* will handle you, by *your* way of handling one another. Your Filthy *Bodies*

will after a long period be *Raised,* that in them you may *receive according to what you have done in Them.* How tremendous *pains,* will be then inflicted on you! Yea, The *Lord GOD Omnipotent* will not only Banish you from all comfortable Enjoyments, but with more immediate Impressions of His Wrath, make you the Everlasting Triumphs of His Vengeance, and shoot intolerable Coruscations of it into your Enlarged Minds, and keep all the Anguish of a Tormenting Fire upon them. Verily, He will *Punish* like a GOD; And you will find a *Strange Punishment reserved for the workers of Iniquity.* Can you hear this, and not cry out; *O Lord, My Flesh trembles for fear of thee, and I am afraid of thy Judgments*! But then, if before you *Dy,* you do in the Methods of a *Repenting Faith* get your *Pardon Sealed,* and your Souls taken into the Saving and Healing Hands of that *Good One,* whose Call now unto you, is, *Look unto me, and be Saved:* Your Expired *Spirits,* will be taken into the *Paradise* of GOD. And the REDEEMER will anon *Raise* you from the *Dead,* and make you partakers of the *Spiritual Blessings in the Heavenly places.* Tho' you have been the Companions of *Robbers,* you shall then be the Companions of *Angels*; yea, you shall *Inherit all things,* and be *Filled with all the Fulness of GOD.* The Things to be done for you, are beyond what the *Heart of Man can conceive.* You are not strangers to what we read of a *Menasseh,* |24| in his *Chains,* returning to GOD. Oh! may you do and fare like him! One, who had been a very wicked Man, dying in this Country, after the standers-by took him to be *Dead,* revived so far, as to start up in his Bed, & cry out, *O! All Heaven rings with it; A Great and* [*illegible*] *Old Sinner, coming to Heaven*! As wicked as you have been, [*wicked overmuch,* and now to *Dy before your Time* for being so!] yet before *Tuesday* night, *Heaven, Heaven,* will be filled with the *High-praises* of GOD, and there will be *Joy among the Angels* for your Arrival there! And now, First, *Cole,* Do you answer me distinctly; answer me to such Tings as these. [*The Answers, being mostly but words of Compliance, there will be no need of Reciting them, and Repeting them.*] 'Tis by coming into the *Covenant* of GOD and of *Grace,* that you are to *Lay hold on Eter-*

*nal Life.* Behold, the meaning of that *Covenant,* and the manner of coming into it. You must apprehend, That the Eternal SON of GOD, has in a *Covenant* with His Eternal FATHER, engaged, That He will bring His People to *Blessedness*; – bring them to all the *Good,* which a GOD of Infinite *Goodness,* has purposed for them. You are apprehensive of *This.* – One Thing Engaged by our Lord-REDEEMER, is, To offer up a *Sacrifice* unto *Divine Justice* to make Atonement for them; and undergo the sad Things which are due to them for their Sins, that so they may be delivered from them. And therewithal, To Obey the *Law* of GOD, and so |25| work out, and bring in a *Righteousness,* that shall be Reckoned Their's; for *them* to be dealt withal according to it. This is already done; Is it not? Now, Do you *Consent,* unto This; To be *Forgiven* of GOD, on the account of the *Sacrifice* your SAVIOUR has presented for you? Do you *Consent* unto This; To be *Accepted* with GOD, on the account of the *Righteousness* with which your SAVIOUR does furnish you? And, You have no other *Hope!* – no other *Plea*! Well; But another Thing Engaged by our Lord-REDEEMER is, To make suitable Impressions on the *Souls* of His Chosen; To fill them with the *Love* of GOD and their Neighbour; To *Heal* all that is amiss in them; To *Quicken* them for Living to GOD; And *work* in them what is *well pleasing in the sight of GOD*; and Conform them to His *Will* in every thing; and render all *Sin* Odious to them; and incline them to every thing that is *Holy* and *Just* and *Good*; and fit them for, and bring them to, the *Heavenly world.* For *you,* This remains to be done. Do you *consent,* That He'l do all this for you, and in you?– Do you Resign yourself up to His Holy SPIRIT, that He may do so? – Instead of saying, *I will Fear GOD and Serve Him,* do you say, *O my SAVIOUR, I desire, that by Thee Living in me, I may Fear GOD, and Serve Him*! So, you are willing, that your SAVIOUR *fulfil in you and for you, all the Good pleasure of His Goodness*! If your *Heart* be in This, then you are in the *Covenant* of GOD! |26| Now, *Greenville,* Do you distinctly answer me to such things as these. There are Two *Adams.* The

*First Adam,* who has been our unhappy *Father*; and *Second Adam* who is our Almighty SAVIOUR. The *Conversion* to GOD, without which, you *Perish Wonderfully* and Eternally, lies in your Translation from the *First Adam,* to the *Second Adam.* You are sensible, That the *First Adam,* whom the Great GOD constituted the *Head* of His offspring, Sinn'd against his GOD, in eating the *Forbidden Fruit.* – An *horrible Sin* it was! It is *your* Sin; *You* had your part in it. GOD justly reckons it yours! – Your *First Father* ceasing to be what he should be, there is derived from him to you, a *Base Nature.* Your Nature is depraved. All your *Faculties* are enfeebled, and corrupted. You have now an *evil Disposition* in you. – prone to *all Evil.* – Full of *Enmity to GOD.* – poisoned by the *Devil.* – In his *Image.* You feel This. – Under the Efficacy of this *Evil Principle,* you have trespassed against the Laws of GOD, in *Actual Sins,* – Many, – Heinous, – All of them inexcusable. – They render you worthy of all the *Sorrows* you have met withal! – yea, worthy of all *the great Plagues and of long Continuance,* in another world. All this while, you have been a *Slave to Satan, – Serving diverse Lusts?* – In Hourly Danger of being thrown where the *Smoke of the Torment ascends forever and ever?* You feel this, – own it, – Count your condition very miserable. |27| You dare not continue in it. You tremble at the Thoughts of lying under the *Curse* of GOD. Then, Be astonished; And, Oh! *Receive not the Grace of GOD in Vain.* The Blessed JESUS is the *Second Adam.* And since He is GOD as well as *Man,* He is more Able to *Relieve* you, than the *First Adam* could be to Ruine you. You hear Him inviting of you, to come under the *shadow of His wings.* You are made willing to do so; – And be *Found in Him:* – And be *Drawn by Him.* – You can't come if He don't help you. You are willing, That as the Sin of your *First Father* is imputed unto you, so that what your SAVIOUR has *done* and *born* for His People, should be yours: – Availeable for you! – And *you* be saved from the *Curse,* because *He* has been *made a Curse* for you. You are also willing, That your SAVIOUR should make a *New Creature* of you; – Stamp *His Image* upon you, and make you

to *Hate* what He hates, and *Love* what He loves, and bring you to be all that He would have you to be? You commit your self into His Precious Hands, that it may be so? – I leave you in those Hands; and ask you accompany the *Prayers* that we shall now proceed unto. –

## A NOTE ON WHAT FOLLOWS

*Editorial*

The sermon and its application run from here to page 47. The narrative resumes on page 48 with the report of the execution.

They are printed complete because they are half the object, and because they are evidence: this is what four condemned men were required to sit and hear in the days before they were killed.

# WISDOM IN THE LATTER END

*WISDOM In the Latter End. A SERMON occasion'd by the Condition of the Condemned Pirates, July* 10. 1726.

"*Job IV.*21. They Dy even without Wisdom."

THe Greatest *Unhappiness* imaginable! And yet such as the most of Men are overtaken withal. To prevent such an *Unhapness,* as it would be the brightest *Wisdom,* that any Man alive can attain unto, so it should be the liveliest *Care* that every Man living shall have his Mind concern'd about. It is impossible to begin this Care *too soon.* It is impossible to pursue this Care *too much.* Except this be a Mans *Chief Care,* it is impossible to escape the formidable *Unhappiness.* I have before me the most *Important Subject* in the World. We cannot *Preach* too *frequently* |29| or too *fervently* on the Subject. You cannot *hear* too *Attentively.* I bring you this Day, those *Maxims of Wisdom,* which will require the greatest *Attention* from you. We are a Congregation of *Dying People.* The Danger of our *Dying without Wisdom,* 'tis incident

unto us; 'tis threatning of us; we cannot be too *deeply* affected with it. We *live without Wisdom,* if we are not very *deeply* affected with it!

A *Comparison* is instituted between *Angels* and *Men*; to prove, That if *Angels* must abase themselves before GOD, and lay aside all boasting pretensions to *perfection,* much more must Men do so. The Children of *Men* on Earth are on many Accounts *inferiour* to the *Angels* of God, in Heaven. The *Inferiority* is particularly conspicuous, in our *Mortality.* And indeed, we are not only *Mortal* Creatures, but our *Death* is attended with some very Humbling Circumstances. First, when men *Dy,* they are stript of that *Excellency* which makes them valuable among the Living. Tho' men may *Excel* never so much, in *Strength* or in *Beauty,* in *Wealth* or in *Honour*; in *Learning* or in *Authority*; They are carried *Naked* unto the Grave. *Death,* deprives them, disrobes them, of those things for which they were esteemed *Excellent.* Indeed there is one *Excellency,* which if Men had it, would *Abide* with them, when they *Dy,* and would *outlive* their *Death.* True *Wisdom* would do so. But now, Secondly, Behold, how *unhappy* the most of Men are in this thing, *They Dy without Wisdom.* And this is that awful *Doctrine,* which I am to insist upon.

|30| Let Men be never so wise, they are to Dy; but the most of Men are so unhappy as to be found without Wisdom when they Dy.

No *Wisdom* can deliver any Man from *Death*; But it is a fearful wretchedness attending the *Death* of many Men, that they come to it *without Wisdom.*

I. The first Thing before us is, The *Unhappiness* of *All Men*; which yet unto some who have a part in a Great Saviour, in a great Measure ceases to be an *Unhappiness.* Whatever *Wisdom* there be in any Men, *Death* is the unavoidable Portion of *all Men.* There is no *Wisdom* that will keep off the Stroke of *Death.* So some take the meaning of this Clause. In the Original it runs, *They Dy, and there is not Wisdom in them*; that is, no *Wisdom* to send off the stroke of *Death. Nulla est Sapientia qua mortem Effugiant.* So 'tis carried by Interpreters. The *wisdom* of Men signifies no more to save them from Death, than if they had no *Wisdom.* The *Wisdom* of any Man will not give him any more priv-

iledge, to Exempt him from *Death,* than the veriest Fool in the World. We read, Eccl. 2.16. *How dyes the wise Man? even as the Fool.* We read, Psal. 49.10. *Wise Men dy, likewise the Fool and the Brutish perish.* It was of old said, concerning a *wise* Man, *Died Abner as a Fool dieth?* In some Sense he did so *Dy.* The *Wisest* Man in any Court or Colledge upon Earth, is as liable to *Death* as the poorest Creature that comes within the statute of *Idiocy.* We read, Heb. 9.27. — *'Tis appointed for Men once to Dy.* The *Common Law* of *Death* is what every Man, must submit unto. The *Law* runs, *All Titles, Dignities,* |31| *Preferments, Excellencies &c. to the Contrary, in any wise notwithstanding.* 'Tis the *Common Lot* of Mankind; of wise *Men,* as well as others. They must be none but Egregious *Fools,* who can dream of any Exemption from this *common Lot.* Ah, *Foolish* Wretch, and far gone in *Folly; shall the Earth be forsaken for thee*; or shalt thou be permitted never to *forsake the Earth*! And shall a Decree more Established than a *Rock,* be *removed of its place,* that thou mayst always continue in *thy place?* No, we have the Summ of the Matter, and the Root of it. Rom. 5.12; *Wherefore, as by one Man Sin entred into the World, and Death by Sin; and so Death passed upon all Men, for that all have sinned.*

First. No *Natural Wisdom* will secure, or excuse any Man from *dying* like all other Men. We read, 1 King. 11.43. *Solomon slept with his Fathers.* Where is the *Politician,* that can *Out-wit* his *Last Enemy,* or by his *Wit* elude the Approaches of that *Enemy?* What *Lawyer* so Cunning as to *Quash* the *Writ of Death? Academies* are emptied of their Inhabitants, as well as *Hospitals.* There is one honourable Tribe of Men, whose Profession 'tis to *prolong Life.* But the *Physicians* cannot instruct us how always to *prorogue Death. None of them can by any means redeem his Brother,* or find out an *Elixir* by which his Patient may *Live for ever, and not see Corruption.* They sometimes put by a *Pass,* which *Death* is making at us; but let them *Fence* never so Skilfully, anon *Death* gives a *Home Thrust,* and the Distrest *Physicians* look on with troubled and grieved Eyes, and own, *We are now Physicians of no Value.* They *dye themselves* likewise; and none sooner, than they that like *Paracelsus,* brag of their *Immortalizing Medicines.*

|32| Secondly. No, nor will *Religious Wisdom* neither. We read, Josh. 1.2. *Moses my Servant is Dead.* They that are *wise unto Salvation,* yet will not by that *Wisdom Save* themselves from *Temporal Death. Piety* will deliver from the *Sting* of *Death*; but not from *Death* it self. *Piety* will deliver from the *second Death*; but not from the *First Death. Piety* will obtain a *Resurrection* for us, that will bring us out of the *Grave*; it will not obtain a *Preservation* for us, that we shall not go into the *Grave. What Man is he that liveth,* let him live never so piously, never so prayerfully, never so Fruitfully, who *shall not see Death, or deliver his Soul from the hand of the Grave?* In fine, It was a Sentence in the Wisdom of the Ancients; *Is Vir non est, qui lapides atque edificia corruere, et homines mori miratur.* The Man that wonders to see *Buildings fall,* and *People dy,* is not worthy the Name of a *Man.* I remember *Posidonius* in the Life of *Austin,* tells us, how much that Great Man was affected with that Sentence, a little before his own going out of the World. May we *all,* since we are all going out of the world, accustom ourselves to this Heart affecting *Meditation.*

II. The second Thing before us, is, A much *worse unhpppiness* that befalls the *most of men,* and the *worst unhappiness* that any Man can have befalling of him. The most of Men, *dy* before they have arrived unto the only true *Wisdom.* Few Men are *wise* before they *Dy.* Thus this clause is well carried by Expositors; *Prius moriuntur quam quicquam intellexerunt de Divina Sapientia.* They *Dy* before they know what *Wisdom* is: They *dy* strangers, to Divine, Real, Saving *Wisdom.* All Men are, *born* |33| *Fools.* We read, Job 11.12. *Born like the wild-Asses Colt.* And the most of Men *Dy Fools.* The *lives* of Men are generally spent in *Folly.* And they *dy* before the cure of their *Folly.*

We will Enquire; First, *Whence it proceeds,* that the most of Men, *dy* before they arrive unto *Wisdom?* You may be sure, The *Fall of Man* is the cause of this evil. Man was ambitious of *Wisdom.* The Temptation of the *Forbidden Fruit* was, *A Tree to be desired, to make one wise.* But Man by his *Fall* has lost his *Wisdom.* A *Darkness* is come upon his Mind. His perverse Mind is now naturally disposed unto *Error.* He is naturally *Ignorant, and out of the way.* His Faculties, to discern *wisely* what is

*Right* and *Good,* are horribly wounded by his *Fall* from God. It is now come to pass, that the Children of Men come under that Character; Rom. 3.16.17. —*The way of Peace they have not know.* And because the depraved Soul of Man *loves* his *Error,* therefore the Holy God *leaves* him in it. Because he will not be reclaimed from it, God lets him go on in his *Error.* Because he *hates the Light,* God witholds it from him. He Delights in his *Darkness,* & prefers and practises the *Works of Darkness*; God therefore gives him up to his *Darkness.* We may add, what we read; 2. Cor. 4.4. *The god of this world blinded their Minds. Satan* is by the wrath of God, become the *Ruler of this Dark World.* Men do by Sin put themselves under the Dominion of *Satan. Satan* shuts his poor Slaves up in those *Dungeons,* where the Rayes of *Wisdom* do not reach them. Sinners enslaved by *Satan,* may say of their Master, *He has laid me in the lowest Pitt, in Darkness, in the Deeps.* They are by the Intrigues of *Satan,* kept so |34| full of *Business,* and carried unto such a *Distance* from God, that they can't see things in a *True light.* So they go down to the *Generation* of their Foolish *Fathers,* and *they never see light.*

Secondly. We will Enquire, *How it appears,* that the most of Men *Dy* before they arrive unto *Wisdom.* There needs no stronger, nor no sadder proof of this, than what we have in the Daily *Complaints* of *Dying Men.* Some *Dy* with very little sense of what has been amiss in their Lives. *Madness* has been in their *Hearts while they have lived,* & with that *Madness* they have *gone to the Dead.* But, of them who are not perfect *Sotts* and *Stones* in their *Death,* the most by far, *dy* confessing and complaining, that they have been without *Wisdom* all their Dayes. They own, they have never come unto *Wisdom,* until their *Dying Hour* be come upon them. And it is well, if *now* they do any more, than see that they have been without *Wisdom*; it is well if *now* they come really to get any of that *Wisdom,* which they have been thus long without. We read, Prov. 5.11, 12. of, *Mourning at the last, How have I hated Instruction!* The most of Men go on foolishly all their days, in such Indiscretions, that they *mourn at the last*; "Oh! If *I were to live over again,* I would never lead my Life so *foolishly* as I have done! I would order my *Life* after another and a wiser Manner than I have

done!" When that famous Roman *Cicero,* was come towards the latter End of his *Life,* he cried out, *O me nunquam prudensem!* 'Alas, I have never done the part of a *Wise Man,* in all my Days. Thus do the most of Men cry out of themselves, at a *latter End* full of *Bitterness. Dying* Men say; *We have lived without* |35| *Wisdom.* At their *Death* 'tis found and own'd, they have been without it. In a *Dying* Hour to be forced unto the Confession, *I have until now been wholly destitute of Wisdom!* And now, no opportunity to *Exert* it, or, perhaps to *obtain* it! —

We will Enquire, Thirdly. *Who they are,* which *Dy* before they arrive unto *Wisdom.* You shall shall have a brief Description of them.

First, They who *Dy Unprepared for Death,* such *Dy without Wisdom.* The truest *Wisdom* of Man, lies, of old they said, *In a Meditation of Death*; I will say, *In a Preparation for death. Death* finds none but Egregious *Fools Unprepared* for it. We are warned, That before we *dy,* we must be *prepared* for it, by a *Sanctifying Change* upon us; *Prepared* for it, by being *Renewed in the Spirit of our Minds: Prepared* for it, by turning to God, and Closing with Christ, & having the Dispositions which will render us *meet for the Inheritance of the Saints in light.* We are warned, That if we *dy* before we are thus *Prepared* for it, it will be *Good for us, that we had never been born.* Our *Death* will be but a sort of a *Trap door,* by which we shall be thrown down into the place of *Dragons,* a place of *Torments.* It can be no *Wisdom* to slight this warning, and neglect this *Preparation* for Death. Unto one *Unprepared for death,* it was said; Luk. 12.20. *Thou Fool!* Oh! how justly, how justly may it be said unto such an one; *Ah, Fool, dying without Wisdom!* The *unprepared* Soul, tumbles into a dreadful Eternity, with such a shriek as that; "What a *Fool,* Oh! what a *Fool,* have I been! What horrible *Stripes* has my *Folly* brought me to!"

|36| Secondly. They who *dy, before they have begun to live,* shall *dy without Wisdom.* A Man does not *begin to live,* until he *lives unto God.* He that never begins to mind the Great *Errand,* which GOD sent him into the World upon, has not *begun to live.* He that fills not his Life with *Acknowledgements* of GOD, and studies not to *Acknowledge God in all his ways,* has not *begun to live.* He that lives wholly *to himself,* and

sweels away his Life, only in the *Hurries,* and the *Pleasures,* and *Amusements* of *this Life*; may have it said of him, as, 1 Tim. 5.6. *He is dead, while he lives.* 'Tis not *Wisdom*; No, 'Tis *Folly in its Exaltation,* to live at this rate. If *Death* overtakes a Man, while he is yet *alienated from the Life of God*; If *Death* siezes upon a Man, before he is experimentally acquainted with the Methods of a *Godly Life:* the Man *dies without Wisdom.*

Thirdly. They who *dy in their Sins,* these *dy without Wisdom. Sin* is *Folly.* Every Sinner is a *Fool.* In sinning we bring our selves into cause for saying, as, 2 Sam. 24.10. *I have sinned, and I have done very foolishly.* Men are not come to *Wisdom,* till they have left off *sinning,* or, while they go on still in their *Trespasses.* If Men *dy* before they are *Converted from the Error of their ways,* they *dy without Wisdom.* To *dy Unpardoned,* is to *dy Miserable.* To *dy* with Sin unbewailed, and unforsaken, and unrepented of, is to *dy Unpardoned.* So to *dy* — with *Folly* not abandoned, nor forgiven; To *dy,* with *the Wrath of God yet abiding* on the Soul; To *dy,* and carry away a *Guilty Conscience,* which will gnaw, and scourge, and vex the Soul, and be within it, a *Worm that will never dy*! Certainly, tis no *Wisdom* to *dy* so!

# THE APPLICATION

*APPLICATION.*

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But my Discourse must pass into a most Importunate *Exhortation.* And it is an Exhortation, to be managed with the most Vehement *Importunity,* because we are every one of us very nearly concerned in it. If any one of us could promise himself to be excused from *dying* at all; Yea, or if any one of us could promise himself to *live* so much as *One Day* longer, the *Exhortation* might suffer some Abatement of the Flame in which it must come unto us. Oh! But not one of us can promise any such matter. We are all concerned. My Address must be as extensive as that; Psal. 49.1. *Hear this, all ye People.* This must be the *Exhortation* to us all. *Immediately, Immediately* become so *wise,* as to get beyond the Danger of *dying without Wisdom.* If you enquire, and methinks you should be Inquisitive, *What is that Wisdom?* GOD Himself shall give you an Answer, Job 28.28. *And unto Man he said, Behold, the fear of the Lord, that is Wisdom, and to depart from evil, that is Understanding.* Syrs, be assured of this. A Man may have the *Wisdom* to *Govern* and *Manage* whole Nations of Men; but if he *dy* without any better *Wisdom, How art thou fallen from Heaven, O Lucifer, Son of the Morning,* who didst order the Nations? A Man may have the *Wisdom* to understand as many *Languages* as a *Mithridates*; but if he *dy* without better *Wisdom,* he must be lodg'd where he shall gnaw his Tongue for Pain, & know no *Language* but that of Roaring and of Blasphemy. A Man may have the *Wisdom* to Calculate all the Motions of the *Heavens*; but if he *dy* without better |38| *Wisdom,* he must go down to *Hell,* and lie in restless *Chains of Darkness* there. An acute Philosopher, will not by all his Wisdom, avoid a worse Fate than that of an *Empedocles.*

The greatest Case that ever can be spoken to, is now to be briefly spoken to. *What shall a Person do, that he may be rescued and preserved from*

*the Unhappiness of dying without Wisdom?* O my dying Friends; Hearken, Hearken to the Counsils of GOD; the Dictates and the Lessons of the truest *Wisdom*!

First. You must *Repent of all your Folly* before you *dy*; Else you will *dy without Wisdom.* To *Sin* is to *play the Fool.* To go on in Sin, is to go astray in the *Greatness of our Folly.* To walk in the way of Sin, is to *wander from the way of Understanding. Repentance* is a *Resipiscence*; 'tis a *growing wise again.* In *Repentance* a Man does that thing; Luk. 15.17. *come to himself.* The Sinners *dy without Wisdom* surely, who go out of the world before they *come to themselves.* Ah, *Dying People*; This, This you have to do before you *dy.* You must *Lament* before the Lord, the Miscarriages which your Lives have been fill'd withal; the Violations of His Holy and Just and Good Laws, in the Course of your Lives; Esteem it a most *Lamentable* Thing, that you have *offended* Him: You must lay to heart that *fountain* of all wickedness every one of us has in his own desperately wicked Heart; that *evil Heart of unbelief, which inclines us to depart from the living God.* You must apprehend *Sin* as the *worst evil*; be apprehensive of an hideous and horrid evil enwrapped in it; especially, as it is a *Denial of the God that is Above.* You must loath and Judge |39| yourselves, as worthy of a terrible *Destruction from God,* for the offence that your Sin has given to His Infinite Majesty. You must Believe that He is a *God ready to Pardon.* Believe the *offer* which He makes of His *Pardoning Mercy* unto the *Chief of Sinners.* Believe the *purchase* which the Blood of your Saviour has made of a *Pardon,* for all that will embrace the *offer.* You must *Accept* this astonishing *Offer.* But Accept it, with a sincere *Desire,* a steady *Purpose* to *Transgress no more.* Sincerely and stedily say, *I will not offend any more.* And if you have *wrong'd* your *Neighbour,* you must endeavour all suitable *Reparation* and *Restitution.* You *dy without Wisdom,* if you dy without such a *Repentance.* Oh! Let it not after this be said, as, Jer. 8.6. *No Man Repented him.*

Secondly. You must make sure of an Interest in a Glorious CHRIST, before you *dy*; else you will *dy without Wisdom.* You are sensible, That our Great Redeemer, is for many and weighty Causes

in the Sacred Scriptures, called by the Name of, *Wisdom.* We read, 1 Cor. 1.30. *He is of GOD, made unto us, Wisdom.* Then to dy *without Christ,* is to *dy without Wisdom.* Wherefore, This you have to do before you *dy.* You must come to an *Acquaintance,* and an *Union,* with your only Saviour. You must consent unto that *Covenant,* which your Saviour, as the Head of His People, has made with His Eternal *Father*; and be willing that He should not only make *Expiation* for your Sins, but also Quicken you and Assist you to *Live* unto Him. You must Receive your Saviour in all His *Offices,* and with all His *Benefits,* and have a Soul ravished with His *Excellencies*; and *commit* your all into |40| His Hands, and *Rely* upon Him for all the Blessings of Goodness. Oh! Let no one dare to *dy,* till he has done this. To *dy Christless* is to *dy without Wisdom,* and *without Hope* of Blessedness! *Faith* is in the New Testament ever now and then called, *Wisdom.* If you *dy,* before you have *obtained a precious Faith* in the only Saviour, you *dy without Wisdom,* and the *Gospel* being *hid* from you, you are *Lost, Lost* for ever. If a *Christ* be not your *Portion,* you have your *Portion with Unbelievers*; A Portion from which, *O Lord, I beseech thee, deliver my Soul*!

Thirdly. You must have your Minds rectified with a *Principle of Grace,* before you *dy*; else you will *dy without Wisdom.* That *Principle of Grace,* which purifies the Soul of a Sinner from his Evil Tendencies, and makes a New Creature of him, is most reasonably called, *Wisdom.* Thus we read; Psal. 51.6. Of *Wisdom in the Hidden Part.* A *Principle of Grace,* will cause a Man to act *wisely.* To *fear* GOD, and *prize* His Christ, and *hate* all Sin, and *sleight* this World, and *bear* Afflictions patiently and fruitfully, and be a *good Steward* of the manifold Favours of GOD, and be a *Blessing* in all Relations, and keep joyfully looking for the *Mercy* of our Lord Jesus Christ in an *Everlasting Life*: This is to act *wisely.* A *Principle of Grace* will produce this *wise Behaviour.* A Soul dismiss'd by *Death,* being found under the power of such a *Principle,* will be found *mark'd* for the Heavenly World. It has the *Marks of the Lord* upon it. A Soul then found without such a *Principle,* will be found without any Claim to the Blessings of the *Heavenly Places.* It will be claim'd by the *Destroyer*; and it can have nothing but a

*fearful Expectation of a fiery Indignation.* |41| My Neighbours, Before you *dy,* you must with a *Conversion* to GOD, have a *Principle of Grace* wrought in your Souls. And therefore, you must *Cry to the God of all Grace,* and *wait* on Him for it, with a most unspeakable Agony. You must *Resign* your selves unto the *Spirit of Grace,* and sollicit, and entertain His *Influences,* and submit to, and fall in with, His *Operations.* Keep doing so, while you *Live*; Keep doing it, as for your *Lives.* Tremble, Tremble at the Thought of *dying,* till you have in you, the *Spring of Everlasting Life*!

Fourthly. You must *wisely Measure,* and *wisely Employ,* the *Time of your Lives*; otherwise you will be without *Wisdom,* at the *End of your Lives.* 'Tis *Wisdom* to *Measure* our Time well. Thus we read; Psal. 90.12. *So teach us to number our Days, that we may apply our Hearts unto Wisdom.* 'Tis *Wisdom,* not to allot upon more *Days* than we have Reason for. 'Tis *Wisdom* to allow, that for ought we know, we are entred into the very *last* of our *Days.* Again, 'Tis *Wisdom* to Employ our *Time* well. Thus we read; Eph. 5.15, 16. *See then that ye walk circumspectly, not as fools but as wise, redeeming the Time, because the Days are evil.* 'Tis *Wisdom* to spend our Hours, in such a manner that we may give a *good Account* how we have spent them. 'Tis *Wisdom* not to throw away our *Hours* impertinently, but be always either *doing* or *getting* of Good in them all. Mind it then, Syrs. You will *dy without Wisdom,* if your *Death* surprize you; if your *Death* come unexpectedly;— if at your *Death* you must say; *I never look'd for this! I did not imagine that I could be so near to this.* You will *dy without Wisdom,* if your *Death* come upon you, before you have learnt the |42| Skill of *Living Usefully*; if your *Death* cut you down, before you are grown *Fruitful in good Works*; and bring forth much *Fruit unto God.* Oh! Beware of this.

Fifthly. To Escape the *Finished Folly of Dying without Wisdom,* one way is, To *Learn Wisdom from the Dying.* Verily, *The Thoughts of a Dying Man,* are those wherein Ordinarily you hear *Wisdom Justified,* even by those who never in all their Days before have been the *Children* of it. The *Wisdom* which the *Children* of *Exalted Folly* have derided, while they thought of nothing but living always here, is, in *The Thoughts of a*

*Dying Man,* how Approved, how Applauded, how Recommended unto the Survivers! When Men see the *Days of the life of their Vanity* come to their period, they Recommend unto the World, the *Religion* of GOD our SAVIOUR, and a Conformity to the *Maxims* of it, as the only *Wisdom* in the World! Ask a Dying Man, *What is the Wisest Course that can be taken?* He will say; "Oh! *live* to GOD, and *live* by the *Faith* of the SON of GOD, as soon and as much as ever you can; And fill your *life* with Acts of *Devotion* towards GOD, and with Acts of *Benignity* towards Man; And let the *Views* of a *life to come* govern you *in all Manner of Conversation.*"

Such Things you have a thousand and a thousand times heard from the Quivering *Lips,* that have had an Immortal Soul just Expiring from them. Won't you *hearken to the Voice* of such *Teachers,* but *Mourn at the last,* for your Obstinacy and Impenitence? *O ye Fools, when will you be wise!* —

And now, The Great GOD has ordered it, that a Number of *Dying Men* appear among us, in |43| some Tragical and peculiar Circumstances. Another Company of PIRATES under *Sentence of Death* appear among us, and are within a few Hours to be Executed.

Certainly, It will be the *Wisdom* of us all, but especially of our *Sea-faring Tribe,* to learn from these *Dying Men,* some things which the *living* that *see the End* of these Men must *lay to Heart,* — if they would not with an *Hard Heart* lay up for themselves *Treasures of Wrath,* to be poured out upon them, in the *Righteous Judgment* of GOD.

Learn from these poor Men, the Mischief of those *Two Vices,* wherein so many of the *Sea-faring Tribe* suffer the doleful *Shipwreck* of their Souls, and are *drowned in Perdition.* The first, that of *Drunkenness*; And then, that of profane *Swearing* and *Cursing.* These poor Men do, with unutterable Anguish cry out, under the heavy Load of *Guilt,* which these Two Vices have laid and left upon them. The former Vice, *resigns* the Sinner up to the *Possession* of the *Devil*; and by Consequence, to all manner of Wickedness. The latter Vice, *declares* that the *Devil* has taken an horrible *Possession* of the Sinner, and the Wretch

cannot now so truly say, what he use to do, *My Tongue is my own*; as he may say, *'Tis the Devils*: And being *Set on Fire of Hell,* 'tis plain, what and where a *Torment* is intended for it. Being thus *Warned* of them, Oh! *Steer clear* of the *Rocks,* where you see the *Breakers* before you!

At the same time, when, Oh! when, will the *Sea* no longer have cause to say of *Wisdom, It is not in me*! And complain that they who follow the *Sea,* will so *Madly* as they do, abandon themselves, |44| and let their Souls *drive* to the Courses of *Self-destruction*! Poor Sailours, Will you never hearken to the *Voice of Wisdom*? Always be *Madmen,* and with *Madness in your Hearts go to the Dead?* Never become a Pious, a Sober, a Serious, and a Prudent Generation? Let the Condition of these Poor Men help you to *receive Instruction* and *acquaint your Hearts with Wisdom.* In their Condition you see, that if you *go on still in your Trespasses* a Provoked GOD can by the Hands of *Sea-Monsters,* which thro' His *Curse* upon you do *Increase and Multiply,* & become the *Terror of them that haunt the Sea,* bring sore plagues upon you: And even one of these *Leviathans* have a permission to pillage no less than Four Hundred Vessels of you. Yea, and what is infinitely worse; In *their* Condition you see what *you* may be left unto: And how far, if you remain Incorrigible in your evil ways, the Justice of GOD may give you up to the *Lusts of your own Hearts,* and leave you to do those things, which may bring a *fearful End* upon you, that once you little imagined. *Oh! What may you come to!*

My Friends; *Be Admonished by these things*; And, *Be wise.*

But while I am addressing the poor *Sailours,* and beseeching them, that they would not let the *Devil,* who is the worst of *Masters,* enslave them, nor have their *Names* in the *Book* of, *The Wicked one,* I would presume upon an Address to the *Masters* of our Vessels, that they would not be too like the *Devil,* in their *Barbarous Usage* of the *Men* that are under them, and lay them under *Temptations* to do *Desperate Things.* We allow, Syrs, That you must be *Commanders* aboard, and you must keep a *strict Hand* |45| over your Men; and you may, *as Times go,* too often have occasions for *Severities*; But still, there must be no room for *Barbarities.* Our best *Commanders* find they can do without

such Things. The *Men* must be used as *Rational Creatures.* Yea, *Masters,* you must Remember your MEN, – Don't you call 'em so? – They are your *Brethren.* And you would certainly find it so, that with a *Merciful Usage* of your *Men,* if you wisely maintain the *Exercises* of PIETY aboard your Vessels, and be yourselves bright *Examples* of it, your GOD, and the *Conscience* that speaks from and for Him in your *Men,* would be on *your side,* and your *Authority* would be sufficiently Established.

I Conclude. And, *Hear this, O all ye People, every one of you*! You cannot be secured from the Inexpressible, the Incomprehensible *Infelicity* of, *Dying without Wisdom,* if you do not immediately come into a fixed RESOLUTION, for that which is, *The Beginning of Wisdom: Resolved* for the *Fear of God,* and a *Life of Religion.* Oh! Be not so *Exceeding Mad,* any of you, as to remain *Unresolved,* whether the Glorious GOD be not worthy of a perpetual Homage from you; whether a Gracious REDEEMER have not such Things to do for you, as are worth your looking to Him for; whether the *Spiritual Blessings in Heavenly places,* are not rather to be chosen, than a *Devouring Fire, and Everlasting Burnings*! Will our *young People,* be so *wise* now, as to *Consider their Latter End*! We read of such a Thing as that; Prov. 1.4. *Giving to the young Man Discretion.* The word for, *Discretion,* there, may be rendred, *Thoughtfulness.* Oh! That our *young People* would be so *Discrete* as to be more *Thoughtful* |46| than they often are! Oh! that they might be able to say, *I thought on my ways, and I turned my Feet unto the ways, whereto GOD has born His Testimonies.* And, Children, I now more particularly Demand your *Thoughts* on two *Questions,* in the *Catechism for Conscience,* which continually comes upon you.

I demand it of you, whether you are sure of any more *Time* to get *Wisdom,* than *this very Moment,* before you *dy*? GOD has taught you an Answer to this Question; Prov. 7.5. *Boast not thy self of Tomorrow; for thou knowest not what a Day may bring forth.*

I demand it of you, whether if you *dy without Wisdom,* your *Folly* will not be inexcusable, your *Horror* intolerable, your *Torture* insup-

portable? God has taught you an Answer to this Question; Heb. 10.31. *It is a fearful thing to fall into the Hands of the Living GOD.*

I hope 'tis no longer a matter of Suspense with you; But you are come to a point, *Great God, Thro' thy CHRIST I desire to live unto thee.*

The short SERMON occasion'd by the Condition of these Miserables, is thus finished. What remains, is,

# THE EXECUTION

*The EXECUTION.*

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AND now, *speedily,* that is to say, On *Tuesday,* the *Sentence against the Evil Works* of these Men, must be executed. One of the Four, namely, *Condick,* was Reprieved. As for *Fly,* he had been all along, a most uncommon and amazing Instance of Impenitency and Stupidity, and what *Spectacles of Obduration* the Wicked will be, when they have by a course of Wickedness under and against Warnings, provoked the GOD of Heaven to withold His Influences from them. The Sullen and Raging Mood, into which he fell, upon his being first *Imprison'd,* caused him to break forth into furious Execrations, and Blasphemies too hideous to be mention'd; and not eat one morsel of any thing, but subsist only upon a little Drinking, for almost all the remaining part of his Life. He declined appearing in the Public Assemblies, on the *Lords-day,* with the other Prisoners, to be under the appointed means of Grace, because, forsooth, *he would not have the Mob to gaze upon him.* He seem'd all along ambitious to have it said, *That he died a brave fellow* He pass'd along to the place of Execution, with a *Nosegay* in his hand, and making his *Complements,* where he *thought he saw occasion.* Arriving there, he nimbly mounted the Stage, and would fain have put on a Smiling Aspect. He reproached the Hangman, for not understanding his Trade, and with his own Hands rectified matters, to render all things more Convenient and Effectual.

|48| When he was called upon, to *Speak* what he should judge proper to be spoken on that sad occasion, at least for the Warning of Survivers, he only said, That *he would advise the Masters of Vessels to carry it well to their Men, lest they should be put upon doing as he had done.*

At the same time, he declared his obstinate Refusal, to *Forgive* the Person that had been the Instrument of bringing him to Justice.

When the Necessity of that *Charity* was urgently press'd upon him; and advantage taken from a Recital of the *Lords-Prayer* used among the Devotions of the Criminals on the present Occasion, to urge it; he still persisted in his *Unrelenting Frame*; and an Expression of that Importance was in the last words, he Expired withal. But it was observed and is affirm'd, by some Spectators, that in the Midst of all his affected *Bravery,* a very sensible *Trembling* attended him; His hands and his *Knees* were plainly seen to *Tremble.* — And so we must leave him for the *Judgment to come.*

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## THE LONDON REPORT

*The Political State of Great Britain, vol. XXXII, September 1726*

A Boston dispatch of 16 July, printed in London that autumn. It is the fullest account of the scaffold that survives.

*On Tuesday last, three of the Pyrates were executed at Charles Town, viz. William Fly Captain, Samuel Cole, Quarter-Master, and Henry Greenvil; but George Candick was reprieved for a Year and a Day, in order to be recommended to his Majesty's Favour: Cole and Greenvil appear'd very penitent; but Fly discover'd not the least Contrition for the Crime for which he suffer'd.*

*He threw the Rope over the Gallows, and went to make it fast himself, but afterward directed the Hangman how to do it, saying he was not half perfect in his Trade, and therefore he would teach him; adding, that he was not afraid to die; and being ask'd, Why? answer'd, he had wrong'd no Man, and desired that all Masters of Vessels might take Warning by the Fate of the Captain (meaning Captain Green) that he had murder'd, and to pay Sailors their Wages when due, and to treat them better; saying, that their Barbarity to them made so many turn Pyrates.*

*He declared he forgave all the World but Captain Atkinson, (one of the Men concern'd in taking him, and who the better to carry on his Design, pretended to be a Pyrate, and contrived the Sending away the seven Men on board a Scooner, to weaken the Company) saying, As for him, God forgive him, for I cannot, it is not in my Power. He was often desired to do it, but always return'd the same Answer: But just before he was turn'd off, he*

*cry'd, God forgive my Soul, which was the only Petition he put up during the time he was on the Scaffold.*

*All the condemn'd Prisoners were born in the West of England, and Cole has a Wife and seven Children living.*

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The other Two, *Cole* and *Greenville,* had much greater Signs of *Repentance* upon them. They made their *Prayers,* and seem'd continually *praying,* and much affected. They desired the Spectators to take *Warning* by them. And they mentioned Profane *Swearing* and *Cursing,* with *Drunkenness* and *Sabbath-breaking,* as Crimes which were now particularly grievous to them. They also justified the *Court,* as well as acknowledged the *Justice* of the Glorious GOD, in the Punishment they were now brought unto.

|49| A Minister present having made a Pertinent and Pathetic *Prayer,* the Officer, willing that all that was possible might be done for their good, after some time, ask'd them, whether they would have another *Prayer. Fly* did not accept the offer, but said, *If the other Two be Ready, I am*! However, the *other Two* desiring it, another such *prayer* was made by another Minister; and after *that,* another by a Third; with which they joined attentively. (while *Fly* look'd about him unconcerned.)

Then the Execution was finished; And *Fly*'s Carcase hanged in Chains, on an Island, at the Entrance into *Boston*-Harbour.

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## THE ISLAND

*Benjamin Colman, Boston, 1726*

*THIS paper he earnestly desired might be published to the world. The other Prisoners said little, but warn'd all Masters and Commanders against severity and barbarity to their Men, which (they said) they were persuaded is the reason of so many turning Pirates.*

The island was Nixes Mate, at the entrance to the harbour, in Fly's day more than ten acres. Erosion and quarrying reduced it to a shoal, and a stone marker now stands where the gibbet did.

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## EIGHT DAYS AFTER

*The Political State of Great Britain, vol. XXXII, September 1726*

Printed under a New York dateline of 20 July 1726, eight days after the execution at Boston.

> *Yesterday his Excellency our Governor received an Express from Philadelphia, with an Account, that the Master and Mate of the Sloop Rachel, both named Harris, being bound from New-London to Philadelphia, had made Oath at New-Castle on the 16th Instant, that the said Sloop was taken by a Pyrate Snow, commanded by one William F—y, with 6 Guns and 23 Men, off Cape May, and detained her till the 12th; that after the said Pyrates had taken out what they thought fit, they suffered her to proceed.*
>
> *That the Pyrates said they would go to Block-Island, and wait for a Rhode-Island Sloop, and then go for New-Foundland: They also gave out, that both Low and Spriggs were upon the Coast, and waited to take Captain Stirling's great Ship built at New-London.*
>
> *Captain Norris, in his Majesty's Ship Lowestoff, sailed this Morning before Break of Day in quest of the said Pyrate; and we hear Captain Pearce, in his Majesty's Ship the Tartar, will also sail this Afternoon in quest of them.*

Two men of war put to sea in quest of a man who had been hanged at Boston on the twelfth and hung in chains at the mouth of the harbour.

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*Cole,* being one that could use his Pen, did on the Morning before his Execution, give out a Paper, in which "he Lamented his early

accustoming of himself to Profane *Swearing*; and Blasphemous *Language*; and Excessive *Drinking*; and his frequent *stealing of Liquors* from his Master, for the Satisfaction of them who hired him to do it. He added his bitter Lamentations, that when he came to *Man's Estate,* he abandoned himself to criminal Pleasures, to *Drinking, Dancing, Whoring,* and the rest. He begg'd all *Sea-faring-Men* to take Warning by his Ignominious and Miserable Death; to which he was now brought, by the Enticements of the Wicked. He confess'd himself to be justly Condemned; and gave abundance of Thanks, for the Assistance of Good Ministers, and the wholesome Instructions and holy Directions they had given him, and |50| and express'd his Hope of entring into Heaven, by the Blood of His Glorious Redeemer." And he earnestly desired, that this Paper might be published to the World.

The poor Man, in the Prison, had owned unto a Minister, That from the Moment of the *Murders* on Board, he never had a minutes Quiet in his Mind, but was continually Meditating how to run away from the *whole World,* and if it were possible run away from *himself.* The Apprehension of his having some Intention to knock the *Vessel* on the Head, and perhaps the *Captain,* caused them, for some Days before Mr. *Atkinson*'s happy Revolution, to lay him in *Irons,* and every Day cruelly to bestow more than an Hundred Lashes upon him; whereof he continued Sore to his Death. He now saw the Glorious GOD, beginning to Execute on him *His* Vengeance, by the Hands of his *own* Bloody Companions: And he endured such *Miseries,* as made him look upon his forlorn Circumstances in the *Boston*-Gaol, as a sort of a Deliverance. It was *there* endeavoured, that this *Construction* of his *Miseries* might be set home upon him. However, it was admirable to see, how the Vengeance of GOD, sometimes makes *Aceomplices* in Sin, horrible *Scourges* to one another!

It was a Saying of the *Orientals, Happy is he, who corrects his Faults by the Faults of others.* And now, *Happy* would our *Sea-faring* People particularly be, if the *Crimes* and the *Ends* of some whom they have seen *Drowned in Perdition,* might effectually cause them to beware of the *Faults.* with which they may any of them charge themselves.

|51| Upon those words used unto *Achan* just before his Execution, *The Lord shall trouble them THIS DAY*; the Jews have a Charitable Fancy, That on THAT DAY, he saw an end of all his *Trouble*; and that in the world to come he shall have no further *Trouble,* but be found among the Penitent and the Pardoned. With the *Malefactors,* who dy Penitent and Pardoned, it will be so; But the Infallible Judgment of who are so, is what none but *GOD the Judge of all, can determine.*

FINIS.

APPENDIX ONE

# THE TRYALS OF SIXTEEN PERSONS FOR PIRACY

*Four of which were found Guilty, and the rest Acquitted. At a Special Court of Admiralty for the Tryal of Pirates, held at Boston within the Province of the Massachusetts-Bay in New-England, on Monday the fourth Day of July, Anno Dom. 1726. Pursuant to His Majesty's Commission, founded on an Act of Parliament, made in the Eleventh and Twelfth Years of the Reign of King William the Third, intituled, An Act for the more Effectual Suppression of Piracy. And made perpetual by an Act of the Sixth of King George.*

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Boston: printed for and sold by Joseph Edwards, at the corner shop on the north side of the Town-House, 1726. Evans no. 2819. Printed here entire.

*At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies upon the High Seas, Held at the Court-House in Boston within the Province of the Massachusetts-Bay in New-England, on Monday the Fourth Day of July, in the Twelfth Year of the Reign of Our Sovereign Lord GEORGE, by the Grace of GOD of Great Britain, France, and Ireland, KING, Defender of the Faith, &c. Anno que Domini, 1726.*

|3| PRESENT.

THE Honourable WILLIAM DUMMER Esq Lieut. Governour and Commander in Chief of the said Province, President of the Court, and the other Honourable Commissioners hereafter named, *viz.*

Of the Council of His Majesty's said Province. *William Tail*[*illegible*]*r* Esq *Nathaniel By*[*illegible*]*ield* Esq *Addington Davenport*

Esq *John Clark* Esq *Adam Winthrop* Esq *Jonathan Dowse* Esq *Samuel Thaxter* Esq *Spencer Phipps* Esq *Thomas Palmer* Esq *Pe*[*illegible*] [*illegible*] Esq *Benjamin Lynde* Esq *Thomas Hutchinson* Esq *Thomas Fitch* Esq *Jonathan Belcher* Esq *Paul Dudley* Esq *John Turner* Esq *Daniel Oliver* Esq *Edward Hutchinson* Esq

The Honourable *Samuel Sewall* Esq Chief Justice of His Majesty's Superiour Court of Judicature, Court of Assize and General Goal Delivery within the said Province.

*John Meinz*[*illegible*]*es* Esq Judge of the Court of Vice-Admiralty.

Capt *James Cornwall* Esq Commander of His Majesty's Ship of War the Sheerness.

*J*[*illegible*]*ah Willard* Esq Secretary of the said Province.

*Thomas Lechmere* Esq Surveyor-General of *North-America.*

First Proclamation was made by the Cryer Commanding all Persons to keep Silence upon Pain of Imprisonment, whilst His Majesty's Commission for the Tryal of Pyracies, Felonies and Robberies, was in Reading.

Then His Majesty's Royal Commission was openly Read, and the Court Solemnly and Publickly Called and Proclaimed

Then the Honourable *William Dummer* Esq President of the Court, took the Oath Appointed by the Statute, o[illegible] Act of Parliament on which the said Commission was Founded, and afterwards Administred the same Oath to the other Commissioners aforenamed.

|4| Then the Court were pleased Unanimously to Appoint Mr. *Samuel Tyley* a Notary Publick within and for the County of *Suffolk,* and Province aforesaid, to be Register of the said Court, who was Sworn to the Faithful Discharge of that Office.

Then a Warrant issued out by Order of the Court, Signed by the Register; Directed to *Arthur Savage* Esq Marshall of the Admiralty, Requiring him forthwith to bring into Court Capt. *William Atkinson* Marriner; His Majesty's Advocate-General having Exhibited against him Articles of Piracy, Felony and Robbery.

Afterwards the Cryer of the Court made Proclamation for all Persons that could give Evidence for the King against any of the Prisoners to be Try'd for Pyracy, Felony and Robbery on the High Seas, to come into Court, and they should be heard.

Then the said *William Atkinson* was brought to the Bar, and Arraigned upon Articles of Pyracy, Felony and Robbery Exhibited against him by *Robert Auchmuty* Esq His Majesty's Advocate-General.

The Register read the said Articles in the words following, *viz.*

Province of the Massachusetts-Bay, Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies and Robberies on the High Seas, Held at Boston, within the County of Suffolk, on the Fourth Day of July in the Twelfth Year of the Reign of Our Sovereign Lord GEORGE, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Annoque Domini, 1726. ARticles of Pyracy, Felony and Robbery Exhibited by *Robert Auchmuty* Esq His Majesty's Advocate-General against *William Atkinson* Marriner. *First,* For that the said *William Atkinson,* with others on Board the Snow then called the *Fames-Revenge* (formerly called the *Elizabeth*) and then under the Command of *William Fly,* on or about the Seventh Day of *June* last, in the Latitude of–on the high Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* did Pyratically and Feloniously seize, take and possess him and themselves of a Ship named the *John* & *Betty* belonging to His Majesty's good Subjects, and Commanded by *John Gale,* and Pyratically & Feloniously then and there Robbed her of several of her Sails, Cloaths, and Small Arms, all of the Value of *One Hundred Pounds,* and the Property of His Majesty's said Subjects. *Secondly,* For that the said *William Atkinson* with others as aforesaid on board the said Snow Named and Commanded as aforesaid, on or about the 11th Day of said *June,* and off *Deleware-Bay,* upon the high Seas, and within the Jurisdiction aforesaid with Force & Arms Pyratically and Feloniously did seize take and possess him and themselves of a Sloop named the *Rachel* belonging to His Majesty's good Subjects, one *Samuel Harris* Commander, and with Force as aforesaid, out of the said Sloop did take and carry

away one *James Benbrooke* one of His Majesty's Subjects, and then being in the Peace of Our said Lord the King. *Thirdly,* For that the said *William Atkinson,* with others as aforesaid, on Board the [illegible]aid Snow Named and Commanded as aforesaid, on or about the *23d* Day of *June* last, to the Eastward, on or near *Browns Banks* so called, upon the high Seas, and |5| within the Jurisdiction as aforesaid, with Force and Arms Pyratically & Feloniously did seize, take and possess him, and themselves of a Fishing Schooner, named the *James,* belonging to His Majesty's good Subjects *George Girdler* Master, and then and there Manned the said Schooner with Six Pyrates, and sent her in quest of others His Majesty's Subjects, and kept the said Master and two others on Board the said Snow Prisoners. All which several Acts of Pyracy, Felony, and Robbery, were by the said *William Atkinson* done and Committed in manner as aforesaid, Contrary to the Statutes and Laws in such Cases made and provided, and to the Peace of Our said Lord the King His Crown and Dignity, &c. ROBERT AUCHMUTY, Advocate-General.

To which Articles the said *William Atkinson* pleaded not Guilty.

Then the said *Robert Auchmuty* made the following Speech to the Court.

May it please Your Honours, and the Honourable the Commissioners, William Atkinson *stands Articled against for Acts of Piracy* [*illegible*] *Robbery perpetrated & done upon the High Seas, within the Jurisdiction of the Admiralty of* Great Britain, *& has pleaded, Not Guilty. How Dear & Tender the Lives, Liberties, and Properties of His Majesty's Good Subjects are unto Him clearly appears in His wise equal & Benign Administration: And therefore such as are* [*illegible*] *by Special Commission to* [*illegible*] *in His Name,* [*illegible*] *therewith to put an Edge on their F*[*illegible*]*ncy & Words, to the cutting* [*illegible*] *of the innocent; for the Aqui*[*illegible*]*e*[*illegible*] *of the Guiltless is always most Acceptable to Our Gracious Prince, and highly Satisfactory to* [*illegible*] *Honours. I therefore Articled the Gentleman on Tryal, not with the prosp*[*illegible*]*t of Conviction, but that the Laws may be Complied with. And acts be has an Opportunity of Manifesting his Innocency before Your Honours, whose Wisdom and Justice*

*will render his Acqui[illegible]al much more Honourable, if by you judged Not Guilty. And without further Trespassing upon Your Honours, I shall proceed to the Examination of the King's Evidences.*

Afterwards, at the Motion of the Advocate-General, the Witnesses for the King were called, namely *George Girdler* late Master of the aforesaid Schooner, named the *James, Joseph Marshall,* and *William Ferguson,* Marriners, belonging to the said Schooner, who being Sworn, Testified, That the said Schooner was taken on the *23d* of *June* last, as she lay too, a Fishing on *Browns-Banks,* so called, by a Snow called the *Fames Revenge,* one *William Fly* Master; who caused a Black Flagg to be hoisted, and fired a great Gun at her; but the Witnesses when they went on Board the Snow did not see the Prisoner Armed; that soon after they were taken, they saw another Schooner, whereupon the said *William Fly* sent Six of his Crew is pursuit of her in the Schooner which they had taken; and while they were in Chase of the other Schooner, the said *William Atkinson* the Prisoner at the Bar, with Three others on Board the Snow, seized the said *William Fly,* and put him in Irons, and also secured Three other Pirates on Board, now in His Majesty's Goal in *Boston,* namely *Samuel Cole, Henry Greenvill,* and *George Condick,* and brought the said Snow into the Harbour of *Boston,* where she now is. And no Witnesses appearing against the |6| Prisoner, and he having made a very good Defence, The Court was Ordered to be Cleared. And after the Court had duly weighed and Considered the Prisoner's Case in private, they Voted *Nemine Contradicente;* that he was not Guilty.

Then the Court was Opened, and the Prisoner brought to the Bar again, and the President Pronounced him the said *William Atkinson* not Guilty: Whereupon he was Ordered to be Discharged, without paying any Fees, or Costs of Prosecution.

Afterwards the Marshall of the Admiralty was Directed, by Warrant, to bring into Court *Samuel Walker* and *Thomas Streaton,* Marriners; His Majesty's said Advocate having Exhibited against them Articles of Pyracy, Felony, & Robbery: and they were accordingly

brought to the Bar, and Arraigned upon the said Articles, which the Register Read in the Words following, *viz.*

Province of the Massachusetts-Bay, Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies on the High Seas, held at Boston, within the County of Suffolk, on the Fourth Day of July, in the Twelfth Year of the Reign of our Sovereign Lord GEORGE of Great Britain, France & Ireland, King, Defender of the Faith, &c. Annoque Domini, 1726. ARTICLES of Piracy, Felony, & Robbery, Exhibited by *Robert Auchmuty* Esq His Majesty's Advocate-General, against *Samuel Walker* and *Thomas Streaton,* Marriners. *First,* For that the said *Samuel Walker* & *Thomas Streaton,* with others on Board the Snow, then called the *Fames Revenge* (formerly called the *Elizabeth*) and then under the Command of *William Fly,* on or about the Seventh Day of *June* last, in the Latitude of—on the High Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* did Piratically and Feloniously, seize take and possess themselves of a Ship named the *John* & *Betty* belonging to His Majesty's good Subjects, and Commanded by *John Gale,* and Piratically & Feloniously, then and there Robbed her of several of her Sails, Cloaths, and Small Arms, all of the Value of *One Hundred Pounds* Current Money, and the property of His Majesty's said Subjects. *Secondly,* For that the said *Samuel Walker* & *Thomas Streaton,* with others on Board the said Snow, Named & Commanded as aforesaid, on or about the Eleventh Day of said *June,* and off *Deleware-Bay,* upon the High Seas and within the Jurisdiction as aforesaid, with Force & Arms Piratically and Feloniously did seize, take and possess themselves of a Sloop named the *Rachel,* belonging to His Majesty's good Subjects, one *Samuel Harris* Commander, and with Force as aforesaid, out of the said Sloop did take and carry away *James Benbrooke,* one of His Majesty's Subjects, and then in the Peace of Our said Lord the King being. *Thirdly,* For that the said *Samuel Walker* & *Thomas Streaton,* with others as aforesaid, on Board the said Snow, named and Commanded as aforesaid, on or about the *23d* Day of *June* last, to the Eastward, on or near *Browns Banks,* so called, upon

the High Seas, and within the Jurisdiction aforesaid, with Force and Arms Pyratically |7| and Feloniously did seize, take and possess themselves of a Fishing Schooner, named the *James,* belonging to His Majesty's good Subjects, *George Girdler* Master, and then and there Mann'd the said Schooner with Six Pirates, and sent her in Quest of others His said Majesty's Subjects, and kept the said Master and two others on Board the said Snow Prisoners. All which several Acts of Piracy, Felony & Robbery were by the said *Samuel Walker* and *Thomas Streaton,* done and committed in manner as aforesaid, contrary to the Statute and Laws in such Cases made and provided, and to the Peace of Our said Lord the King, His Crown and Dignity &c. ROBERT AUCHMUTY.

To which Articles the said *Samuel Walker* and *Thomas Streaton* severally pleaded not Guilty.

Then the King's Advocate moved the Court, That the said *William Atkinson,* being now found Innocent of the Crimes where with he was Charged, might be admitted to give Evidence on His Majesty's behalf against the Prisoners at the Bar, which the Court consented to, and the said *William Atkinson* was accordingly Sworn.

And being Interrogated, saith, That he Agreed with Capt. *John Fulker* at *North-Carolina,* to come Passenger from thence to *Boston* in the Sloop *John* & *Hannah,* whereof the said *Fulker* was Master; But that on the Third of *June* last, as she lay at Anchor off Cape [*illegible*], they saw a S[illegible]ow [illegible]anding i[illegible] for the Harbour of *Carolina,* when the said Capt. *Fulker,* and the said *Atkinson,* with one other Passenger, namely [illegible] Ro[illegible]hand *Samuel Walker,* (one of the Prisoners at the Bar) who was Mate of the said Sloop, and one Boy, took the Sloops Boat, and went on Board the said Snow Imagining the Captain of her might be a Stranger, and wanted a Pilot to carry her safely into the Harbour of *Carolina* But after they had been on Board some time, they understood by the People, they were Pirates, and that she was then Commanded by one *William Fly* (now a Prisoner in *Boston* Goal) and that he, with others on Board, had in the Night time, in the Month of *May* last, surprized

the Captain of her, viz. *John Green,* and *Thomas Jenkins* the Mate, and thrown them overboard; But that *Thomas Streaton* one of the Prisoners at the Bar, was in his Hammock, when the Fact was committed, and no ways consenting to the Murther, as the Dep[illegible]nent understood, and was by the Crew put in Irons, and that he, together with the said *Samuel Walker,* the other Prisoner, were treated as forced Men by the Pirates at the times of the several Captions of divers Vessels which happened afterwards.

Then *George Girdler, Jos*[*illegible*]*ph Marshall,* and *William Ferguson,* who belonged to the aforesaid Schooner, were called and Sworn. And being asked as to the Prisoners Behaviour when the said Schooner was taken, They Declared, the Prisoners at that time Affirmed, that they were forced Men, and were two of the Men that afterwards seized & subdued the said *William Fly,* and the Three other reputed Pirates before-named.

Then the Court was Cleared and in Private. And after the Evidences produced had been duly considered, The Court Unanimously *Voted,* That the said Prisoners namely *Samuel Walker,* and *Thomas Streaton,* were not Guilty.

Whereupon they being brought to the Bar again, the President Pronounced them not Guilty. And the Court Ordered them to be Discharged without paying any Fees.

Then the Court was Adjourned to Three a Clock Post Meridiem.

|8| The Court Met according to Adjournment, when His Honour the President, and all the Honourable Commissioners aforenamed were Present, except Captain James Cornwall Esq

THEN the King's Advocate moved the Court, That *John Cole, John Browne, Robert Dauling, John Daw, James Blair, Edward Laurence, Edward Apthorp,* and *James Benbrooke,* Articled against for Piracy, Felony, and Robbery, might be brought into Court.

Whereupon a Warrant issued out, by the Courts Order, Directed to the Marshall of of the Admiralty Requiring him forthwith to bring them into Court, and accordingly they were brought to the

Bar, and Arraigned upon the Articles Exhibited against them, which were Read, and are as follows, viz.

Province of the Massachusetts Bay, Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies on the High Seas, Held at Boston, within the County of Suffolk, on the Fourth Day of *July* in the Twelfth Year of the Reign of Our Sovereign Lord GEORGE, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Annoque Domini, 1726. ARTICLES of Piracy, Felony, and Robbery, Exhibited by His Majesty's Advocate-General against *John Cole, John Browne, Robert Dauling, John Daw, James Blair, Edward Laurence, Edward Apthorp,* and *James Benbrooke,* Marriners. *First,* For that the said *John Cole, John Brown, Robert Dauling, John Daw, James Blair, Edward Laurence,* and *Edward Apthorp,* together with *William Fly, Sam*[*illegible*]*el Cole, George, Condick,* and *Henry Greenvill,* Marriners, and others, on or about the Eleventh Day of *June* last past, on Board the Snow then called the *Fames-Revenge,* formerly called the *Elizabeth,* and off *Deleware-Bay,* upon the High Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* with force and Arms Pyratically and Feloniously did seize take and possess themselves of a Sloop named the *Rachel,* belonging to His Majesty's good Subjects one *Samuel Harris* Commander, and with force as aforesaid, out of the said Sloop did take and carry with them one *James Benbrooke* one of His Majesty's Subjects, and then in the Peace of Our said Lord the King being. *Secondly,* For that the said *John Cole, John Brown, Robert Dauling, John Daw, James Blair, Edward Laurence, Edward Apthorp,* and *James Benbrooke,* with others as aforesaid, on or about the Twenty-third Day of *June* last past to the Eastward on or near *Browns Banks,* so called, upon the high Seas, and within the Jurisdiction aforesaid with Force and Arms Piratically, and Feloniously did seize, take and possess themselves of a Fishing Schooner, named the *James,* belonging to His Majesty's good Subjects, one *George Girdler* Master, and then and there Manned the said Schooner with Six Pirates, and sent her in Quest of others His Majesty's said Subjects, and kept the Master and others on board the

said Snow Prisoners. All which several Acts of Piracy, Felony, and Robbery, were by the said *John Cole, John Brown, Robert Dauling, John D*[*illegible*]*w, James Blair, Edward Laurence, Edward Apthorp,* and *James Benbrooke,* respectively [illegible]one and Committed in manner as aforesaid, Contrary to the Statutes and Laws in such Cases made and provided, and to the Peace of Our said Lord the King, His Crown and Dignity. *ROBERT AUCHMUTY,* Adv-General.

|9| To which Articles the said *John Cole, John Brown, Robert Dauling, John Daw, James Blair, Edward Lawrence, Edward Apthorp,* and *James Benbrooke,* severally pleaded not Guilty.

Then the Witnesses for Our Sovereign Lord the King were called, and Sworn, namely Capt. *William Atkinson, Samuel Walker, Thomas Streaton, George Girdler, Joseph Marshall,* and *William Ferguson.* And upon their Examination, it came out in Proof, That on the Sixth Day of *June* last, the said *John Cole, John Brown, Robert Dauling, John Daw, James Blair,* & *Edward Lawrence* (Six of the Prisoners at the Bar) were taken in the Ship *John* and *Betty, John Gale* Commander off the Capes of *Virginia,* by the aforenamed *William Fly,* then Commander of the said Snow, by him called the *Fames-Revenge,* and detained on Board her, contrary to their wills: And that the said *Edward Apthorp,* one other of the Prisoners, belonged to the Sloop *John* and *Hannah, John Fulker* late Master, and went on Board the said Snow, with the said *Fulker,* Capt. *Atkinson,* and others, in order to Pilot her into *Carolin*[*illegible*]*;* And that *James Benbrooke* (the other Prisoner at the Bar) was afterwards, *viz.* on the Eleventh of *June* last, taken by the said *William Fly,* and his Crew on Board the Sloop *Rachel,* whereof *Samuel Harris* was Master, in her Passage from *New York* to *Philadelphia.* And all the King's Evidences before-named Testified, That the Prisoners were not active with the Pirates, in taking any Vessels, but were declared by the Pirates to be forced Men, and disapproved of their Piratical Acts: And it also Evidently appeared to the Court, that the said *James Benbrooke* was one of the Men that seized the said *William Fly,* and took his Sword from him, and broke it. And no other Witnesses appearing against the Prisoners, they were directed to

make their Defence: which accordingly they did; And the King's Advocate thereupon Concluded the Prosecution by summing up the Evidence, and submitting the same to the Consideration of the Court. Afterwards the Court was Cleared; And having duly weighed and Considered the Matters Alledged, as well by the King's Witnesses, as by the Prisoners for themselves; the Court were of Opinion that they were not Guilty.

Whereupon they the said *John Cole, John Brown, Robert Dauling, John Daw, James Blair, Edward Laurence, Edward Apthorp,* and *James Benbrooke,* were again brought to the Bar, and the President, in the Name of the Court, Pronounced them not Guilty, And they were Ordered to be Discharged, without paying any Fees.

Then *M*[*illegible*]*rrice Cundon,* Marriner, against whom His Majesty's Advocate had Exhibited sundry Articles of Piracy, Felony, and Robbery, was brought into Court by the Marshall of the Admiralty, as by Warrant Directed, and Arraigned upon the said Articles, which were Read in the words following, *viz.*

Province of the Massachusetts-Bay, Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies on the High Seas, held at Boston, within the County of Suffolk, on the Fourth Day of July, in the Twelfth Year of the Reign of our Sovereign Lord GEORGE of Great Britain, France & Ireland, King, Defender of the Faith, &c. Annoque Domini, 1726. ARTICLES of Piracy, Felony, and Robbery, Exhibited by His Majesty's Advocate-General against *Morrice Cundon,* Marriner. *First,* For that the said *Morrice Cundon,* not having the Fear of GOD before his eyes, but being Instigated by the Devil, on the Twenty-seventh Day of *May* last, and about |10| One of the Clock in the Morning of the said Day, together with *William Fly, Samuel Cole, George Condick, Henry Greenvill,* and others, on Board a Snow called the *Elizabeth,* in her Voyage from *Jam*[*illegible*]*ic*[*illegible*] to *Guine*[*illegible*], upon the high Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* in the Latitude of—with Force and Arms, an Aff[illegible] did make on the Bodies of Capt. *John Green,* the then

Master, and *Thomas Jenkins* the then Mate of the said Vessel, and both in the Peace of our said Lord the King then being, and with Force as aforesaid, then & there threw overboard, the said *John Green,* and *Thomas Jenkins,* by means whereof they were D[illegible]owned; so that the said *Morrice Cundon,* with others as aforesaid, then and there Feloniously Murthered the said *John Green,* and *Thomas Jenkins,* in manner as aforesaid, [illegible] the Statutes and Laws, in such Cases made and provided. *Secondly,* For that the said *Morrice Cundon,* with others as aforesaid, afterwards, *viz.* [illegible]n the Twenty-Seventh Day of *May* upon the high Seas, [illegible]s aforesaid, and within the said Jurisdiction, Piratically, and Feloniously, did surprize, seize and take the said Snow, burthen about Seventy Tuns together with her Cargo, of the value of *Two Thousand Pounds* Sterling; the said Vessel and Cargo being the Property of His Majesty's Good Subjects. *Thirdly,* For that the said *Morrice Cundon,* with others, as aforesaid, on board the said Snow, and Commanded by the said *William Fly,* on or about the Third Day of *June* last past, near unto the Bar of *Cape Hadderas,* on the high Seas, and within the Jurisdiction aforesaid, with Force and Arms, Pyr[illegible]t[illegible]ally and Feloniously did seize, take [illegible] possess him, and themselves of a [illegible] named [illegible] *John* & *Hannah, John Fulker* then Master belonging to His Majesty's said Subjects, and Bulged her on the said Bar, keeping the said Master, and *William Atkinson,* then a Passenger in the said Sloop, and others, all His Majesty's good Subjects, Prisoners on Board the said Snow. *Fourthly,* For that the said *Morrice Cundon,* with others, as aforesaid, on Board the said Snow, whom then they named the *Fames-Revenge,* Commanded as aforesaid, on or about the Seventh Day of *June* last, in the Latitude of—on the High Seas, within the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously did seize, take, and possess him, and themselves of a Ship named the *John* and *Betty,* belonging to His Majesty's good Subjects, and Commanded by *John Gale,* & Feloniously as aforesaid, then and there Robbed her of several of her Sails, Cloths and Small Arms, all of the value of *One Hundred Pounds,*

Current Money, and the Property of His Majesty's good Subjects. *Fifthly,* For that the said *Morrice Cundon,* with others as aforesaid, on Board the said Snow, Named and Commanded as aforesaid, on or about the Eleventh Day of the said *June,* and off *Deleware-Bay,* upon the High Seas, and within the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously did seize and possess him, & themselves of a Sleep named the *Rachel,* belonging to His Majesty's said Subjects, *Samuel Harris* Commander, and with Force as aforesaid, out of the said Sloop, did take and carry with them *James Benbrooke,* one of His said Majesty's Subjects, then in the Peace of our said Lord the King being. *Sixthly,* For that the said *Morrice Cundon,* with others, as aforesaid, on Board the said Snow, Named and Commanded as aforesaid, on or about the Twenty-Third Day of *June* last, to the Eastward, on or near *Browns Banks,* so called, upon the high Seas, and within the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously, did seize, take and possess him, and themselves, of a Fishing Schooner, named the *James,* belonging to His said Majesty's Subjects, *George Girdler* Master, and then and there Ma[illegible] n[illegible]d the said Schooner with Six Pirates, and of their Crew, and sent her in quest of |11| others His Majesty's said Subjects, and kept the said Master, and two others on Board the said Snow Prisoners. All which said several Acts of Murthers, Piracies, Felonies, and Robberies, were by the said *Morrice Cundon,* perpetrated, done and committed in manner as aforesaid, contrary to the Statutes and Laws in such Cases made and provided, and to the Peace [illegible]f our said Lord the King, His Crown and Dignity. ROBERT AUCHMUTY, Advocate-General.

To which Articles the said *Morrice Cundon* pleaded not Guilty.

The Witnesses on behalf of His Majesty were Sworn, namely Capt. *William Atkinson, Thomas Streaton,* and *Samuel Walker.* And it appeared by their respective Testimonies, That the said *Morrice Cundon* belonged to the said Snow while called the *Elizabeth,* and Commanded by Capt. *Green,* and that he was at Helm when Capt. *Green,* and his Mate, were thrown over-board by *William Fly,* and several

others of the said Snows Company; But that the said *Cundon* was no ways Acting or Consenting thereto, or to any of the Acts of Piracy, and Robberies, afterwards committed; And therefore the said *Fly* talk'd of dismissing the Prisoner, the first Vesse[illegible] he took, and of getting another Man in his room. And further the Witnesses Deposed, that when the said Snow was taken by Capt. *Atkinson,* and others, the said *Cundon* exprest his Joy thereat. And in his own Defence, declared to the Court, that he never suspected the least design in any of the Snows Company, to Murder the said Capt. *Green,* and his Mate, before *Fly* came to him while at Helm, and threatned to blow out his Brains, if he stirr'd from the Helm: And then it was not in his power to prevent their Executing their wicked design, because most of the Snows Company were at that time upon Deck, Assisting in, or Consenting to the throwing of the said Capt. *Green,* and his Mate over-board: and it would have been a Rash Attempt, in him alone, to oppose them.

The Advocate-General Concluded this Prosecution, in Observing to the Court, That the Prisoner by no Act, discovered his Disapprobation of the Proceedings of such as were actually Concerned in the said Murther; and was therefore by Law a Principal, and Pray'd Judgment accordingly.

Upon which the Court was Cleared, and in Private; And after mature Deliberation, and Consideration of what the King's Witnesses Deposed, and the Prisoner offered in his Defence; as also the Replication of the Advocate-General, The Court *Voted,* That the said *Morrice Cundon* is not Guilty.

Whereupon the Prisoner being brought again to the Bar, the President Pronounced him not Guilty; And the Court Ordered him to be Discharged without paying any Fees.

Then the Court was Adjourned to Tuesday the *5th.* Day of *July* Instant, at Nine a-Clock, before noon.

*Anno Regni Regis GEORGII, Duodecimo.*

*Tuesday July 5th. Ante Meridiem.*

|12| PRESENT.

The Honourable WILLIAM DUMMER Esq Lieut. Governour & Commander in Chief, in and over the Province aforesaid, President of the Court, and the other Commissioners hereafter named. *viz.*

Of His Majesty's Council for this Province. The Hon. *William* [*illegible*]*ai*[*illegible*]*er* Esq *Nathaniel Byfield* Esq *Addington Davenport* Esq *John Clark* Esq *Adam Winthrop* Esq *Jonathan Belcher* Esq *Paul Dudley* Esq *John Turner* Esq *Thomas Palmer* Esq *Penn Townsend* Esq *Benjamin Lynde* Esq *Thomas Hutchinson* Esq *Thomas Fitch* Esq *Elisha Cooke* Esq *Jonathan Dowse* Esq *Samuel Thaxter* Esq *Daniel Oliver* Esq *Edward Hutchinson* Esq

The Honourable *Samuel Sewall* Esq Chief Justice of His Majesty's Superiour Court of Judicature, Court of Assize, and General Goal Delivery for the Province aforesaid.

*John Meinzies* Esq Judge of the Vice-Admiralty. *Josiah Wi*[*illegible*]*ard* Esq Secretary of the said Province. *Thomas Lechmere* Esq Surveyor General of *North-America.*

THe Court being Open'd by Proclamation, His Majesty's Advocate moved, That *William Fly* Marriner, lately Committed to the Goal in *Boston,* might be brought into Court, to make Answer to several Articles of Piracy, Felony, & Robbery Exhibited against him; And a Warrant issued out, by the Courts Order, Directed to the Marshall of the Admiralty, Requiring him to bring the said *William Fly* into Court; And accordingly the Prisoner was brought, and Arraigned at the Bar, upon the said Articles, which were Read, and are as followeth, *viz.*

Province of the Massachusetts Bay Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies on the high Seas, held at Boston, within the County of Suffolk, on the Fourth Day of July, in the Twelfth Year of the Reign of Our Sovereign Lord GEORGE, of Great Britain, France, and Ireland, King,

Defender of the Faith, &c. Annoque Domini, 1726. ARTICLES of Piracy, Felony, and Robbery, Exhibited by *Robert Auchmuty* Esq His said Majesty's Advocate, against *William Fly,* Marriner. *First,* For that the said *William Fly,* not having the Fear of GOD before his Eyes, but being Instigated by the Devil, on the *27th.* Day of *May* last, and about One of the Clock in the Morning of the said Day together with *Alexander Mitchell,* |13| *Henry Hill, Samuel Cole, Thomas Winthrop,* Marriners, [illegible] others, on Board a Snow called the *Elizabeth,* in her Voyage from *Jamaica* to *Guinea,* upon the High Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* in the Latitude of—with Force and Arms an Assault did make on the Bodies of *John Green,* the then Master and Commander, and *Thomas Jenkins,* the then Mate of the said Vessel, and both in the Peace of our said Lord the King then being, and with Force as aforesaid, then and there threw overboard the said *John Green* and *Thomas Jenkins,* by means whereof they were Drowned, so that the said *William Fly* with others as aforesaid, then and there Feloniously Murthe[illegible]ed the said *John Green* and *Thomas Jenkins* in manner as aforesaid, cont[illegible]ary [illegible] the Statutes and Laws in such Cases made and provided. *Secondly,* For that the said *William Fly,* with others as aforesaid, afterwards, *viz.* on the said *27th.* Day of *May* last, upon the High Seas as aforesaid, within the said Jurisdiction, Piratically, and Feloniously did surprize, seize, and take the said Snow, Burthen about Seventy Tons, together with her Cargo, of the Value of *Two Thousand Pounds* Sterling, the said Vessel and Cargo, being the Property of His Majesty's Good Subjects. *Thirdly,* For that the said *William Fly,* with others as aforesaid, on [illegible]ard the said Snow, on or about the *3d.* Day of *June* last, near unto the Bar of *Cap*[*illegible*] [*illegible*], on the High Seas, and within the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously, did seize, take and possess him, & themselves of a Sloop named the *John* & *Hannah, John Fulker* then Master, belonging to His Majesty's said Subjects, and bulged her on the Bar, keeping the said Master, and *William Atkinson,* then a Passenger in the said Sloop, and one other Passenger, and one

Boy, all His Majesty's Good Subjects, Prisoners on Board the said Snow, then Piratically Improved, and Commanded by the said *William Fly. Fourthly,* For that the said *William Fly,* Commander as aforesaid, and with others as aforesaid, on Board the said Snow, whom they named the *Fames Revenge,* on or about the *7th.* Day of *June* last, in the Latitude of—on the High Seas, within the Jurisdiction aforesaid, with Force and Arms, Piratically, and Feloniously, did seize, take, & possess him, & themselves, of a Ship named the *John* & *Betty,* belonging to His Majesty's Good Subjects, and Commanded by *John Gale,* and Feloniously as aforesaid, then and there Robbed her of several of her Sails, Cloaths, and Small Arms, all of the Value of *One Hundred Pounds,* Current Money, and the Property of His Majesty's said Subjects. *Fifthly* For that the said *William Fly,* Commander as aforesaid, and with others as aforesaid, on Board the said Snow, named as aforesaid, on or about the Eleventh Day of said *June,* and off *Deleware-Bay,* upon the high Seas, and within the Jurisdiction aforesaid, with Force & Arms Piratically and Feloniously, did seize, take and possess him, & themselves of a Sloop named the *Rachel,* belonging to His Majesty's said Subjects, one *Harris* Commander, and with Force as aforesaid, out of the said Sloop, did take and carry with them one *James Benbrooke,* one of His said Majesty's Subjects, and then in the Peace of Our said Lord the King being. *Sixthly,* For that the said *William Fly,* Commander as aforesaid, and with |14| others at aforesaid, on Board the said Snow, named as aforesaid, on or about the *23d* Day of *June* last, to the Eastward on o[illegible] near *Brown's Banks,* so called, upon the high Seas, and within the Jurisdiction aforesaid, with Force & Arms, Piratically and Feloniously, did seize, take and possess him, and themselves of a Fishing Schooner named the *James,* belonging to His Majesty's good Subjects, *George Girdler* Master, and the said *Fly,* then and there Manned the said Schooner with Six Pirates of his Crew, and sent her in quest of others His Majesty's said Subjects, and kept the said Master, and two others, on Board the said Snow Prisoners. All which said several Acts of Murders, Piracies Felonies, and Robberies, were by said *William Fly,*

Done and Committed in manner as aforesaid, Contrary to the Statutes and Laws in such Cases made and provided, and to the Peace of Our said Lord the King, His Crown and Dignity. *ROBERT AUCHMUTY,* Adv-General.

To which several Articles the said William Fly pleaded not Guilty. The King's Advocate thereupon made a Speech to the Court, in the words, or to the Effect following, viz.

May it please Your Honour, Mr. President, and the Honourable the Commissioners,

WIlliam Fly *stands Articled against, for Acts of Piracy, Murder, Felony, and Robbery, committed upon the High Seas, and within the Jurisdiction of the Admiralty of* Great Britain, *Contrary to the Statutes in that case made and provided, and to the Peace of our Lord the King, His Crown and Dignity; to which* [*illegible*]*e has pleaded Not Guilty.*

*I shall not Trespass upon Your Honours Patience in opening the Nature of Piracy, a Crime of the first Magnitude in the Catalogue of Capital Offences; this has been the work of others more* [*illegible*] *to the Performance. What I conceive necessary to offer, is the Consideration of that Hackney Defence made by every Pirate upon Trial, namely, That he was a forced Man, and in order to Strike the Passions they represent in moving terms, what dangers they encounter'd, as the Risque of having their Brains blow'd, and what Severities they underwent, as Sweating & the like, before they departed from their native Integrity. All which, if prov'd, will not, strictly speaking, amount to an Exemption from Punishment; For neither Necessary, Major Vi*[*illegible*]*, or Self-Preservation, can legally justify the Commission of an Act,* Malum in [illegible] *But unmask these Dreggs of Mankind, and then they will appear Blaspheming their Creator, Co*[*illegible*]*ing of Oaths, Embrewing their Hands in Innocent Blood, and* [*illegible*]*cking their Hellish Inventions for un*[*illegible*]*eard of Barbarities.*

*This in a great measure will Turn out to be the dreadful Case of the Prisoner at the Bar, and Providence seems to point out his punishment, (which I pray God may be only Humane) not only in the wonderful manner of subduing him, but in that he is to be Try'd by your Honours, whose great Justice & Judgment has been sufficiently Experienced, not to be imposed upon by the most*

*sub*[*illegible*]*il Prosecution, to Convict the Innocent, or by the most Artful Pretences to acquit the Guilty. I shall therefore proceed to Examine the Kings Evidences which will Invincibly prove the Articles against him, and thereupon doubt not of your Justice to His Ma* [*illegible*]*y, this Province, and to the Prisoner's Demerits in declaring him Guilty.*

Then *Morrice Cundon* and *Thomas Streaton,* Witnesses in behalf of His Majesty were Called and Sworn.

And first, the said *Morrice Cundon* Declared, That on the 27*th.* Day of *May* [illegible]st, about One a-Clock in the Morning, while he was at Helm, *William Fly* then Boatswain of the Snow called the *Elizabeth* (belonging to His Majesty's Subjects in *Bristol* in Great Britain) after he had been sometime forward with several Sailors on Board the said Snow, came abauft, with some of them, *viz.* one *Alexander Mitchell,* and others, and said to the |15| Deponent while at Helm these words, viz. *Damn you, you Dog, if you stir Hand or F*[*illegible*]*t, or speak a Word, I'll blow your Brains out.* And immediately thereupon the said *Fly* went into the Cabbin, where Captain *Green* was in Bed, and *Alexander Mitchell* follow'd him, and while they were there, the Deponent heard the said Captain *Green,* Cry out, what's the matter? and they soon hawled him upon Deck, and were about to throw him into the Sea; when the said Capt. *Green* applied himself to the said *Fly* the Boatswain, saying, *For God's sake, Boatswain, don't throw me overboard, for if you do I shall go to Hell:* Then the said *Fly* bid the Captain say after him these words, viz. "*Lord have Mercy upon my Soul.* And soon after he was thrown overboard.

And the said *Morrice Cundon,* and *Thomas Streaton* both Deposed, that some Days after the Master and Mate were Drowned, they met a Ship called the *Pompoy,* which came from *Jamaica* in Company with the Snow, when the Captain of the Ship hail'd the Snow, and ask'd how Captain *Green* did; and *Fly* being upon Deck, made Answer, very well at your Service Sir.

Afterwards Capt. *William Atkinson, Samuel Walker, Edward Apthorp, John Cole, Robert Dauling, John Brown, George Girdler,* & *James Benbrooke,* Witnesses for the King were called and Sworn; and Testified, that

they were all taken by the said Snow, and that the said *William Fly* Acted as Captain, when the several Vessels, (mention'd in the Articles) to which they respectively belonged, were taken; And at such times ordered the Black Flagg to be hoisted, and Encouraged the Pirates when they were backward, to go on Board the said Vessels. And the said *William Atkinson* particularly Deposed, That soon after the Caption of the Schooner, named the *James,* whereof the said *George Girdler* was Master, they discovered [illegible] her Schooner, whereupon the said *Atkinson* Advised the said *Fly* to Man the said Schooner *James* with some of his Hands & go in Chase of the said Vessel, as before exprest by the said *Atkinson,* in his Defence made upon his Tryal; which the said, *Fly* accordingly did; And some short time afterwards the said *Atkinson* discovering other Vessels forward, diverted the said *Fly* from his Arms, which lay on the Quarter-Deck; And while he was looking with his Glass to take fight of said Vessels, the said *Atkinson* and others, Overcame and subdued him, and Three other Pirates, as before is set forth.

After the Witnesses had been fully heard, the said *William Fly* was Informed by the Court, that then was his time to offer what he had to say in his own Defence; which he did, by Denying any hand in the Murther, and several other Facts Sworn to by the King's Witnesses: And thereupon the Advocate-General summ'd up and Enforc'd the Evidence, and gave the Law upon the Facts: and Concluded, that the Prisoner at the Bar was Legally Guilty of Murther, Piracy, Felony and Robbery, according to the Articles.

Afterwards the Court was Cleared, and in Private. And upon Deliberate Consideration of the several matters and things by the Witnesses Sworn to against the Prisoner, as also the Law thereupon; the Court *Voted.* That the said *William Fly* is Guilty of the several Articles Exhibited against him.

Then he was brought to the Bar again, when the President in the Name of the Court Pronounced the said *William Fly* Guilty. Upon which the Advocate, in behalf of His Majesty, demanded Sentence against the Prisoner. Who was thereupon ask'd if he had any thing to

say why Sentence of Death should not be given against him; and shewing no sufficient Reason to the contrary, The President pass'd Sentence against him accordingly in the words following, *viz.* "You *William Fly* are to go from hence to the Place from whence you come, and from thence to the Place of Execution, there to be Hang[illegible]d up by the Neck until you be Dead, *And the LORD have Mercy upon your Soul.*"

Then the Prisoner was Remanded to Goal; and the Marshall of the Admiralty Directed to keep him in safe Custody.

|16| Afterwards the Advocate-General moved the Court, That *Samuel Cole, George Condick,* and *Henry Greenvill,* Articled against for Piracy, and Robbery, might be brought into Court to receive their Tryal: Accordingly the Marshall, pursuant to the Warrant to him Directed and Deliver'd brought them to the Bar, where they were Arraigned upon the Articles Exhibited against them, which the Register Read in the words following, *viz.*

Province of the Massachusetts-Bay, Suffolk, sc. At a Special Court of Admiralty for the Tryal of Piracies, Felonies, and Robberies on the High Seas, held at Boston, within the County of Suffolk, on the Fourth Day of July, in the Twelfth Year of the Reign of our Sovereign Lord GEORGE of Great Britain, France, & Ireland, King, Defender of the Faith, &c. Annoque Domini, 1726. ARTICLES of Piracy, Felony, and Robbery, Exhibited by His Majesty's Advocate-General against *Samuel Cole, George Condick,* & *Henry Greenvill,* Marriners. *First,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* not having the Fear of GOD before their eyes, but being Instigated by the Devil, on the Twenty-seventh Day of *May* last, and about One of the Clock in the Morning of the said Day, together with *William Fly, Alexander Mitchell, Henry Hill,* & *Thomas Winthrop* Marriners, and others, on Board a Snow called the *Elizabeth,* in her Voyage from *Jamaica* to *Guinea,* upon the high Seas, and within the Jurisdiction of the Admiralty Court of *Great Britain,* in the Latitude of—with Force and Arms an Assault did make on the Bodies of Capt. *John Green,* the then Master and Commannder, and

*Thomas Jenkins* the then Mate of the said Vessel, and both in the Peace of our said Lord the King then being, and with Force as aforesaid, then & there threw overboard, the said *John Green,* and *Thomas Jenkins,* by means whereof they were Drowned; so that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others as aforesaid, then and there Feloniously Murthered the said *John Green,* and *Thomas Jenkins,* in manner as aforesaid, contrary to the Statutes and Laws, in such Cases made and provided. *Secondly,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others as aforesaid, afterwards, *viz.* on the Twenty-Seventh Day of *May* upon the high Seas, as aforesaid, and within the said Jurisdiction, Piratically, and Feloniously, did surprize, seize and take the said Snow, burthen about Seventy Tuns, together with her Cargo, of the value of *Two Thousand Pounds* Sterling; the said Vessel and Cargo being the Property of His Majesty's Good Subjects. *Thirdly,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others, as aforesaid, on board the said Snow, and Commanded by the said *William Fly,* on or about the Third Day of *June* last past, near unto the Bar of *Cape Hadderas,* on the high Seas, and within the Jurisdiction aforesaid, with Force and Arms, Pyratically and Feloniously did seize, take and possess themselves of a Sloop named the *John* & *Hannah, John Fulker* then Master, belonging to His Majesty's said Subjects, and Bulged her on the said Bar, keeping the said Master, and *William Atkinson,* then a Passenger in the said Sloop, and one other Passenger, all His Majesty's good Subjects, Prisoners on Board the said Snow. *Fourthly,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others, as aforesaid, on Board the said Snow, whom then they named the *Fames-Revenge,* Commanded as aforesaid, on or about the Seventh Day of *June* last, in the Latitude of—on the High Seas, within the Jurisdiction aforesaid, with Force and Arms, Piratically and [illegible]loniously did seize, take, and possess themselves of a Ship named the *John* and *Betty,* |17| belonging to His Majesty's good Subjects, and Commanded by *John Gale,* & Feloniously as aforesaid, then and there Robbed her of several of her Sails, Cloths and Small Arms,

all of the value of *One Hundred Pounds,* Current Money, and the Property of His Majesty's good Subjects. *Fifthly,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others as aforesaid, on Board the said Snow, Named and Commanded as aforesaid, on or about the Eleventh Day of the said *June,* and off *Deleware-Bay,* upon the High Seas, and the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously did seize and possess themselves of a Sloop named the *Rachel,* belonging to His Majesty's said Subjects, *Samuel Harris* Commander, and with Forces as aforesaid, out of the said Sloop, did take and carry with them *James Benbrooke,* one of His said Majesty's Subjects, then in the Peace of our said Lord the King being. *Sixthly,* For that the said *Samuel Cole, George Condick,* & *Henry Greenvill,* with others, as aforesaid, on Board the said Snow, Named and Commanded as aforesaid, on or about the Twenty-Third Day of *June* last, to the Eastward, on or near *Browns Banks,* so called, upon the high Seas, and within the Jurisdiction aforesaid, with Force and Arms, Piratically and Feloniously, did seize, take and possess themselves, of a Fishing Schooner, named the *James,* belonging to His said Majesty's good Subjects, *George Girdler* Master, and then and there Manned the said Schooner with Six Pirates, and of their Crew, and sent her in quest of others His Majesty's said Subjects, and kept the said Master, and two others on Board the said Snow Prisoners. All which said several Acts of Murthers, Piracies, Felonies, and Robberies, were by the said [illegible] perpetrated, done and committed in manner as aforesaid, contrary to the Statutes and Laws in such Cases made and provided, and to the Peace of our said Lord the King, His Crown and Dignity. ROBERT AUCHMUTY, Advocate-General.

To which Articles the said *Samuel Cole, George Condick,* and *Henry Greenvill,* severally pleaded not Guilty. Then the Witnesses on His Majesty's behalf, Namely *Morrice Cundon,* and *Thomas Streaton,* Marriners, which Sail'd from *Jamaica* in the said Snow, were Called and Sworn.

And first, the said *Morrice Cundon,* Testified, That *Samuel Cole,* and *Henry Greenvill,* were both of them upon Deck, with others, when Capt. *Green,* and the Mate were thrown overboard, on the Twenty seventh of *May* last before Day.

And the said *Thomas Streaton* Deposed, That as he lay in his Bed in the Morning of that Day, between One & Two of the Clock, he heard *Samuel Cole,* one of the Prisoners at the Bar, say to *Jenkins* the then Mate, *Come out of your Cabbin, you Dog,* and presently after he was haul'd out of his Bed upon Deck, and the Deponent heard some Body fall upon the Deck, which he believ'd to be *Jenkins,* and soon after one *Winthrop* told him, that he should go over-board after his Captain; and he was soon thrown into the Sea, where he called to the Doctor earnestly several times to hand him a Rope, but by that time the Doctor was put in Irons.

Afterwards *William Atkinson, Samuel Walker, Edward Apthorp,* and *John Cole,* were Sworn, and Testified That the Prisoners were reputed Pirates when the several Vessels mentioned in the said Articles were Taken and Robbed; and upon all Occasions acted as such, never pretending to the contrary in the Deponents hearing; only the Dep[illegible] nents said, that *Samuel Cole,* the Quarter-Master, was put in Irons by [illegible] for Mutiny, and so was continued in Irons while the two last Vessels mentioned in the [illegible] |18| Articles were taken; and that *Condick* was commonly the worse for Drink, and not able to bear Arms when several of the Vessels were taken; and for the most part was serviceable to the Pirates as their Cook.

Then the Prisoners were heard what they had to say for themselves: And the said *Samuel Cole,* and *Henry Greenvill,* deny'd that they had any hand in Murthering the said Capt. *Green,* and his Mate; but said they had both of them been cruel to the Men, and therefore they had agreed to rise upon them, and put them on shoar the first Land they made. And the said *Cole* and *Greenvill* also owned that they were with others upon Deck when the Captain and his Mate were thrown overboard and the said *Condick* confess'd in like manner that he was consenting to the said Capt. *Green,* and his Mates, being put on shoar,

but deny'd that he had any hand in their being Murthered, alledging that he was then in his Hammock asleep. Upon whom the Advocate Replied, That by Law the Prisoners Con[illegible]ederating and Consenting to do an Unlawful Act in Rising against their Commander (which by the Statute is declared Piracy) and forcibly pretending to put him on shoar, and Death ensuing, they were severally Guilty of Murther, if there were no other Evidence against the Prisoners: but the Advocate also summ'd up the Evidence against them in Support of all the other Articles, and Concluded in Demanding Judgment.

Whereupon Orders were given to Clear the Court: The Court being in Private, fully and deliberately weighed & Considered the Evidences against the Prisoners, and also the Defence made by them respectively, and the Advocate-General's Replication, and *Voted,* as follows, *Viz.*

1*st.* That the said *Samuel Cole,* is Guilty of all the four first Articles Exhibited against him, but not Guilty of the two last Articles.

2*dly.* That the said *George Condick* is not Guilty of the first Article of Murther Exhibited against him, but of the other five Articles the Court *Voted* him to be Guilty.

3*dly,* That the said *Henry Greenvill* is Guilty of all the Six Articles Exhibited against him.

Then the Court being Open'd, The said *Samuel Cole, George Condick,* & *Henry Greenvill,* were again brought to the Bar, when the President in the Name of the Court Pronounced them severally Guilty as aforesaid. And then the Advocate-General in His Majesty's behalf demanded Judgment against them.

Whereupon they were ask'd, what they had to say, why Sentence of Death should not be given against them. And they offering no sufficient Reason to the contrary, The President Pronounced Sentence against them in the words following, *viz.*

"YOU *Samuel Cole, George Condick,* & *Henry Greenvill,* are to go from hence to the place from whence you came, and from thence to the place of Execution, and there to be Hanged up by the Neck,

until you and each of you be Dead, *And the LORD have Mercy upon your Souls.*"

Then the Prisoners were Remanded to Prison, and the Marshall caution'd to take strict Charge of them. After which the Court was Adjourned to Six a Clock *Post Meridiem.*

The Court met according to the said Adjournment.

*AND in Consideration that the beforenamed* George Condick *was commonly Intoxicated with Liquor, and an Ignorant Man, about Twenty Years of Age, having* |19| *no hand (as appeared) in the Murther of the Captain, or Mate, and seldom taking up Arms at the Caption of any of the Vessels, but mostly was implo*[*illegible*]*ed as Cook on board the Snow;* The Court Voted, That the said *George Condick* be Recommended to His Honour the Lieutenant Governour & Commander in Chief of this Province, for a Reprieve for Twelve Months, that so His Majesty's Pleasure by or before that time may be known concerning him the said *Condick.*

Afterwards, The Court proceeded to Consider when the Sentence against the said *William Fly, Samuel Cole,* & *Henry Greenvill,* should be put in Execution. And *Voted,* That they should be Executed on Tuesday the Twelfth Day of *July* Instant, at the usual place for the Execution of Pirates, in or near *Charles River,* so called, between the Hours of Ten & Four of the Clock: And that the said *William Fly,* being the Chief Leader of them, his Dead Body should be carried from the Place of Execution to an Island called *Nick's-Mate,* near the Entrance of the Harbour of *Boston,* and there be Hung up in Chains. And His Honour the President was Desired by the Court to Sign the Dead Warrant, Commanding the Marshall of the Admiralty to put the aforesaid Sentences against them in Execution on the said Twelfth Day of *July* accordingly.

APPENDIX TWO

# SOME ACCOUNT OF SAID PIRATES

*Appended by Benjamin Colman, Pastor of a Church in Boston, to his sermon It is a Fearful Thing to Fall into the Hands of the Living God, preached to the condemned on the Lord's Day,* 10 *July* 1726.

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Boston: printed for John Phillips and Thomas Hancock, 1726. Evans no. 2735. The account is printed here entire. The sermon it accompanies is not reprinted.

*APPENDIX.*

THE miserable *Persons* to whom, and at whose desire the forgoing *Sermon* was preached, were *Samuel Cole* and *Henry Greenvill.* There was also present with them *George Condick.*

THE *Captain* of the Pirates, *William Fly,* refused to come into publick. I mov'd the others for *his* sake, to let me preach to them in private: But they said, It was the last *Sabbath* they had to live, and they earnestly desired to be in an *Assembly* of Worshippers, that they might have the *Prayers* of many together over them, and that others might take the more *warning* by them.

THE *Story* of these wretched men is short and tragical. They sail'd from *Jamaica* on board a *Snoe, John Green* Commander, bound to *Guinea.* They had not been long at Sea before they conspired to seize the *Captain* and *Mate,* and then go a *pirating.* On the 27th of *May* 1726. they put in execution their wicked design, in a most cruel and barbarous manner. About one a clock in the morning, *William Fly* |30|

then *Boatswain* of the *Snoe Elizabeth,* after he had been some time forward with several of the *Sailors,* came aft with *Alexander Mitchel* and others, and said to *Morrice Cunden (Gunner* of the Ship) then at helm, "D—n you, you dog, if you stir hand or foot, or speak a word, I'll blow your brains out." And immediately thereupon he went into the *Cabbin* where *Captain Green* was in bed, and *Alexander Mitchel* follow'd him; and while they were there *Morrice Cunden* heard the *Captain* cry out, *What's the matter?* But they soon hawl'd him upon deck, and were about to throw him into the Sea; when the poor man begg'd of them to spare his life, saying, "*For God's sake* Boatswain *don't throw me over board, for if you do I shall go to hell.*" But though in the anguish and amazement of his soul he thus pleaded with them, that they would not send him down quick into hell, for that he was not fit to die; yet his plea made no impression at all upon their hardned hearts. *Fly* bid him say after him these words, "*Lord have mercy upon my soul*;" and away they hurried the poor surpris'd and astonish'd man overboard. It is affirmed that he caught hold of a rope and held for his life, which when one of the wretches saw he cut off his hand with an ax; and so he dropt into Eternity.

AT the same time some others of this *bloody crew* surpris'd the *Mate* of the Ship, *Thomas* |31| *Jenkins.* And *Thomas Streaton* (the *Carpenter* of the Ship) deposed that he heard *Samuel Cole* say to *Jenkins,* "*Come out of your Cabbin, you dog!*" and presently he was hawl'd out, and told "*that he should go overboard after his Captain.*" When he was in the Sea he was heard calling earnestly to the *Doctor* to hand him a rope. But the *Doctor* was by this time himself putting into Irons.

THUS *bloodily* these inhumane Creatures began their *Piracy,* but Vengeance follow'd them and suffer'd them not to live.

*William Fly,* the chief and worst (we may suppose) of these barbarous rogues, took on him the Command, and named the *Snoe* the *Fames Revenge.* They were well stored with *Powder,* and *Rum* and *Provisions,* but wanted a better *Vessel*; and in quest of this it is likely they bent their course first to *Carolina* and from thence to *New England.* On the *third* of *June* they took a *Sloop* at Anchor off *North-Carolina,* on

board of which was Mr. *William Atkinson* a Passenger; who was afterwards the happy Instrument in the hand of God for their destruction. They very much needed one so well skill'd as *Atkinson* was both as a *Mariner* and *Pilot,* and *Fly* treated him well on that account, but kept a strict eye upon him, forbidding him to have any conversation |32| with the forc'd men; and lest he should he had a hammock given him in the *Cabbin.*

THEY commanded him to carry them to *Martha's Vineyard* in order to wood and water there, and in hopes to meet with some Sloop sitting for their purpose This is Mr. *Atkinson*'s own Account of things.: But he resolved to run the venture of carrying them past the *Vineyard,* and run them up into or near the *Bay* before they were aware of it. When they perceiv'd it they began to look upon him with an evil eye, & spake of throwing him overboard. But as *Fly* was uttering his rage at him the next morning on this account, and telling him what death he should die if any thing ill befell them thro' his conduct, a *Schooner* came in sight which put an end to *Fly*'s rage, for the joy of a good Prize. They found it a *Schooner* of *Marblehead, George Girdler* Master.

Mr. *Atkinson* had some time before this meditated the seizing on *Fly* and Company, and found means secretly to communicate his mind to some on board, whom he thought he might trust; particularly to *Samuel Walker,* and *Thomas Streaton*; and *Walker* had spoken of it to *James Benbrook*; who all consented if a fair opportunity should offer.

|33| IT was very necessary to his design to *ingratiate* himself, as far as he honestly and with a good conscience could, with *Fly* and his Pirates. Yet in doing this he ran a *risque* both of his innocence and his life: Of his *Innocence,* for *with a furious man thou shalt not go, lest thou learn his ways and get a snare to thy soul*; And of his *Life,* for as some of the *Pirates,* the *Captain* especially, began to think friendly of him and to hearken to his Advice; (they all depending on him to navigate the Ship) so if a *Ship of War* had taken them it is to be feared that he had in vain pleaded his innocence and good intentions. But the good God

who preserv'd, has also pleaded his innocence. And we ought to praise his virtue, conduct and courage, and give God the glory of it.

*Fly* had no sooner taken the *Schooner* of *Marblehead,* but they discovered another at a distance from them. Whereupon he put *three* men on board the *Schooner,* and purposed to bear down on the new *Sail* with both his Vessels. But Mr. *Atkinson* with a ready thought advised him to put *six* men into the *Schooner* and send her down on the fishing Vessels, being her self one of their company but a day before, and so there would be no likelyhood of their flying from her: but (said he) if the *Snoe* and the *Schooner* now bear down together they'll take you for what you are, and make away |34| from you. *Fly* came into his advice and put three men more into the *Schooner,* and parted with her, standing a course wide from her.

NOW *Atkinson*'s thoughts were hard at work how to draw *Fly* away from his *Arms* on the quarter-deck. For there he kept alone, nor would suffer *Atkinson* to step up, so much as to set down the *Bowl* of punch after he had drank to him. And probably a Message which he receiv'd from a chief *Pirate* on board the *Schooner,* by the boat, "*To have a special care of his Friend,*" did increase his jealousie; tho' he seem'd only to laugh at it.

WITHIN a little while *Atkinson* spied a *Sail* a head to the *Leward,* and informed *Fly* of it. And presently after he pretended to discover two or three more sail, and told him he would have a *fleet* of prizes. But *Fly* with his glass could see but *one.* Why said *Atkinson,* If you were but here, Sir, with your glass, a-head, you would easily see them all. On a sudden *Fly* forgat his caution, and comes off the quarter-deck, where his arms lay, and sets him down a-head to spy the Sails spoken of. Then *Atkinson* gave the sign to his friends, and *Walker* follow'd by *Benbrook* came up, pretending at first to direct the *Captain* to look a point or two on such a side, while *Atkinson* (a spare and slender man) pass'd aft toward the *Arms,* and in the instant |35| that *Walker* laid hold of *Fly* he took the firearms, and returned pointing the gun to the *Pirate's* breast, and telling him "He was a dead man if he did not immediately submit himself his prisoner." The wicked *Fly*

earnestly *begg'd* for his life, and now found that *mercy* which he had so barbarously denied to his *innocent Captain.*

IN the midst of this struggle the Pirate *Greenvil* put up his head from between decks: for there as Providence order'd it He and *Condick* were at this instant; and as for the pirate *Cole* he had been in *Irons* for two days before, by *Fly*'s order, for some mutiny he had made. This it was that render'd the subduing them so easy to *Atkinson* and his three Companions: for now *Streaton* had fallen in, and guarded one place, while *Atkinson* did the other, keeping the Pirates down. The Action was so surprising to the other *Forc'd Men,* that for a time they stood astonied and like Men amazed, not capable of acting for their own deliverance; altho' vehemently call'd upon and threatned by *Atkinson.* But in a little time they came to themselves and joyfully fell in with their *Deliverers.*

WHEN *Fly* found himself chain'd down and effectually secur'd, he fell at times into the most desperate *ragings,* cursing himself and her that bare him, and the Day wherein he was born; |36| cursing the very heavens & in effect the *God* that judged him; Cursing all *rovers* that should ever give quarter again to an *Englishman*; and wishing all the devils of hell would come and fly away with the Ship: The same *Blasphemer* now in his furious *despair,* or worse than he ever was before in his *jollity* and pride; when he wou'd sometimes even dare to ridicule the noise of Gods *Thunder,* as it rattled over him, Saying, "*That they were playing bowls in the Air,*" &c. and as the *Lightnings* sometimes flash'd upon them, he would say – "*Who fires now? Stand by,*" &c. – So he dar'd the dreadful Vengeance, which persu'd him swift as the *Lightnings* and suddenly struck him.

BUT Capt. *Atkinson* and his brave *Mates* are much to be prais'd, that they dealt so *mercifully* with these *bloody Men*; and neither *blew their brains out* (their own phrase) nor threw them overboard. *Blessed be God that kept them that day from shedding blood, and from avenging themselves with their own hands.* It was much better to reserve the *Murderers* to the Judgment of the *Law,* in the proper course of it. Hereby the guilty *Miserables* had a space granted them for *repentance,* and were

bro't under the happy *means* of it; Means *happy* we hope to two of them, namely *Greenvil* and *Cole.*

Capt *Atkinson* and Company now made the best of their way for the Port of *Boston.* The |37| Pirate *Schooner* made after them till night parted, when they altered their course and lost her. On the *29* of *June* they arriv'd at *Boston,* and Surrender'd themselves, their Prisoners and the *Snoe* into the hands of the *Government.* On *Monday* the *fourth* of *July* a *Special Court of Admiralty* was held at the *Court house* in *Boston,* where Mr. *Atkinson* and Eleven more pass'd their *Trial* and were *acquitted: Fly, Cole, Greenvil* and *Condick* were found *guilty,* and Sentenc'd to *die.*

*Fly* at his trial, as well as before and after it, behav'd boldly and impenitently. *Cole* and *Greenvil* more modestly, humbly, penitently; like Men greatly concern'd for their Souls, and distressed for their Sins. And this continu'd to the day and hour of their death. As for *George Condick* he appear'd ignorant, stupid and insensible; was acquitted by the *Court* of the *Murder,* and was afterward *repriev'd* at the place of Execution.

ON *Tuesday,* July 12. their *Execution* came on, and *Fly* briskly and in a way of bravery jumpt up into the *Cart,* with a nose gay in his hand, bowing with much unconcern to the Spectators as he pass'd along, and at the *Gallows* he behaved still obstinately and boldly till his face was covered for death; but *Greenvill* and *Cole* behaved piously and penitently in a judgment of charity. — *Fly* was the |38| greatest Instance of *obduracy* that has yet been seen among all the *Malefactors* who have suffer'd in these parts.

THE Reverend *Ministers* of the *Town* visited them often, discours'd them seriously and affectionately, prayed with them frequently and fervently, and preached to 'em both in private and in publick.

*Samuel Cole* in the morning before his Execution delivered a *Paper,* wherein he confess'd and bewail'd "his giving himself in his youth to the sin of *drinking*; and that while a boy he learn'd and addicted himself unto the too common sin of *Swearing* and blaspheming the great

and fearful Name of God: Also his early defrauding his Master by *stealing Liquors* for wicked men, who entic'd and encourag'd him to do it: Also that when he arriv'd to Manhood he consulted nothing but sinful *pleasures,* drinking, whoring, dancing, &c. He desired all *Sea-faring men* to take warning by his shameful and ignominious death; which he was now come to by listning to the wicked words and actions of horrible men. He confess'd himself to be justly condemned, and gave abundance of thanks for the assistance of many good *Ministers,* their kind Exhortations and good Doctrine to him; He ask'd their continued prayers, and the prayers of all good people, |39| for his poor soul to the last hour of his life; and express'd his hope, thro' the blood of his dear Redeemer *Jesus Christ* his Lord, of entring into the Kingdom of heaven."

THIS *paper* he earnestly desired might be published to the world. The other *Prisoners* said little, but warn'd all *Masters* and *Commanders* against severity and barbarity to their Men, which (they said) they were persuaded is the reason of so many turning *Pirates.*

AFTER the Execution, the *three dead Bodies* were carried to a small *Island,* about two leagues from the *Town*; where the body of *Fly* is hung up in *Irons,* as a Spectacle for warning to others; and the two other bodies were buried there.

FINIS.

APPENDIX THREE

# THE SIXTEEN

*Every man arraigned, and what became of him*

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Sixteen men were arraigned before the Special Court of Admiralty at Boston on 4 and 5 July 1726. Robert Auchmuty prosecuted for the King. Six articles were laid: the murder of Captain Green, the seizure of his own snow the Elizabeth, and the taking of four vessels afterwards, the John and Hannah, the John and Betty, the Rachel and the James. The verdicts were as follows, in the order the court took them.

William Atkinson
*Piracy and robbery.* NOT GUILTY, nemine contradicente. Discharged without fees. He had retaken the vessel from Fly and brought her into Boston.

Samuel Walker
*Piracy and robbery.* NOT GUILTY. Discharged without fees.

Thomas Streaton
*Piracy and robbery.* NOT GUILTY. Discharged without fees. Afterwards a witness for the King against Fly.

John Cole
*Piracy and robbery.* NOT GUILTY. Discharged without fees.

John Browne
*Piracy and robbery.* NOT GUILTY. Discharged without fees.

Robert Dauling
*Piracy and robbery.* NOT GUILTY. Discharged without fees.

John Daw

*Piracy and robbery.* NOT GUILTY. Discharged without fees.

James Blair

*Piracy and robbery.* NOT GUILTY. Discharged without fees.

Edward Laurence

*Piracy and robbery.* NOT GUILTY. Discharged without fees.

Edward Apthorp

*Piracy and robbery.* NOT GUILTY. Discharged without fees.

James Benbrooke

*Piracy and robbery.* NOT GUILTY. Discharged without fees.

Morrice Cundon

*Murder, piracy and robbery.* NOT GUILTY. Discharged without fees. He had been at the helm at the moment of the mutiny and was a witness for the King against Fly.

William Fly

*Murder, piracy, felony and robbery.* GUILTY on all articles. Sentenced to hang. Executed 12 July 1726 and hung in chains on Nixes Mate.

Samuel Cole

*Murder, piracy and robbery.* GUILTY of the first four articles, NOT GUILTY of the last two. Sentenced to hang. Executed. He served as quartermaster, was put in irons by Fly on suspicion of mutiny and given a hundred lashes, and left a wife and seven children living.

Henry Greenvill

*Murder, piracy and robbery.* GUILTY of all six articles. Sentenced to hang. Executed. Born in the West of England, and married.

George Condick

*Murder, piracy and robbery.* NOT GUILTY of murder, GUILTY of the other five articles. Sentenced to hang. Reprieved at the place of execution for a year and a day, to be recommended to His Majesty's favour. The Lieutenant Governor forwarded that recommendation to London on 22 August. Nothing further of him is recorded.

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Three men named in the articles as principals in the killing were never brought to trial: Alexander Mitchell, who by the sworn testimony followed Fly into the cabin, Henry Hill, and Thomas Winthrop.

APPENDIX FOUR

# CHRONOLOGY

*From the sailing to the gibbet*

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April 1726

The snow Elizabeth, of Bristol, John Green master, sails from Jamaica for the Guinea coast. She is a slaving vessel outbound for the middle passage. William Fly is her boatswain.

27 May, about one in the morning

Fly and Alexander Mitchell seize Green in his cabin. Green is hauled on deck and begs not to be thrown overboard. Fly makes him repeat a prayer and he goes into the sea. The mate, Thomas Jenkins, is cut down with a broad axe and follows him. Fly is chosen captain and the vessel is renamed the Fames-Revenge.

29 May

They speak the Pompoy, which had sailed from Jamaica in their company, and are asked after Captain Green. They answer that he is very well, at your service. They decline to attack her for want of hands.

3 June

Near the bar of Cape Hattaras they take the sloop John and Hannah, John Fulker master. Fly orders her burnt when she cannot be brought off, and has Fulker severely whipped.

7 June

They take the ship John and Betty, John Gale master, bound from Barbados for Virginia, hoisting a black flag and firing. They detain William Atkinson, late commander of a brigantine, taking a passage home, and force him to serve as pilot for the New England coast.

11 June

Off Delaware Bay they take the sloop Rachel, Harris commander, carrying some fifty Scotch-Irish passengers. They keep her twenty-four hours, force James Benbrooke out of her, and dismiss her.

23 June

On Browns Bank they take the fishing schooner James under George Girdler, hoisting the black flag and firing a great gun.

23 June

About noon Fly sends the captured schooner off after other fishing vessels with seven of his men aboard, leaving himself, three pirates and fifteen forced men on the snow. While they are gone, Atkinson draws Fly forward from his loaded guns and his sword. Benbrooke and Walker seize him and put him in irons; Atkinson and the carpenter secure the rest.

28 June

The retaken snow is brought into Boston and the prisoners delivered to the government.

3 July

Mather dates the sentence to this day in his relation. The court record dates the trial to 4 and 5 July.

4 and 5 July

The Special Court of Admiralty sits at the Court House in Boston, William Dummer presiding. Sixteen are tried. Twelve are acquitted. Fly, Samuel Cole, Henry Greenvill, and George Condick are condemned.

6 July

The first conference in the prison, printed in this volume.

9 July

The second conference.

10 July

The sermon, Wisdom in the Latter End, preached on the Lord's day before the execution.

12 July

The execution, at Charles Town on the north side of the Charles River, the usual place for the execution of pirates. Condick is reprieved for a year and a day. Fly, Samuel Cole and Henry Greenvill are hanged, and Fly is afterwards hung in chains on Nixes Mate at the entrance to the harbour.

20 July

At New York, eight days after the execution, an express from Philadelphia reports Fly still at large off Cape May. Two of His Majesty's ships put to sea in quest of him.

Shortly after

The Vial Poured Out Upon the Sea is printed by Thomas Fleet for Nathaniel Belknap and offered for sale. Benjamin Colman's sermon, with its account of the affair, is printed for John Phillips and Thomas Hancock.

22 August

Lieutenant Governor Dummer forwards the printed trial to the Council of Trade and Plantations in London, recommends Condick for the King's grace, and promises an inventory of the piratical goods.

September 1726

The Boston dispatches reach London and are printed in The Political State of Great Britain, carrying the fullest surviving account of the scaffold.

1728

The second volume of Captain Charles Johnson's General History of the Pyrates carries a chapter on Fly, adding the gallows details that Mather does not report.

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*Of persons and vessels*

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# THE SOURCES

*What this edition is made of*

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Six documents are used. Three are reprinted complete and three are quoted where they answer a question the first three leave open. Evans numbers refer to Charles Evans, American Bibliography. All six are in the public domain.

## REPRINTED COMPLETE

[Cotton Mather], *The Vial Poured Out Upon the Sea. A Remarkable Relation Of certain Pirates Brought unto a Tragical and Untimely END.*

*Boston: Printed by T. Fleet, for N. Belknap, and sold at his Shop near Scarlet's Wharf.* 1726.

51 pp., octavo. Evans no. 2779. Text from the Text Creation Partnership transcription, released under Creative Commons Zero.

*The Tryals of Sixteen Persons for Piracy, &c. Four of which were found Guilty, And the rest Acquitted.*

*Boston: Printed for and Sold by Joseph Edwards, at the Corner Shop on the North side of the Town-House,* 1726.

24 pp., quarto. Evans no. 2819. Text from the Text Creation Partnership transcription, released under Creative Commons Zero.

Benjamin Colman, *Some Account of said Pirates*, appended to *It is a Fearful Thing to Fall into the Hands of the Living God. A Sermon Preached to some miserable Pirates July* 10. 1726. *On the Lord's Day, before their Execution.*

*Boston, N. E.: Printed for John Phillips and Thomas Hancock, and Sold at their Shops.* 1726.

Evans no. 2735. The account only is reprinted here; the sermon is not. Text from the Text Creation Partnership transcription, released under Creative Commons Zero.

## QUOTED

Captain Charles Johnson [pseud.], *A General History of the Pyrates*, second volume. The attribution of this work to Daniel Defoe is disputed and has never been proved.

*London,* 1728.

The chapter on Fly, pp. 606-613 in the standard modern edition. Passages here follow the text as given and attributed in George Francis Dow and John Henry Edmonds, *The Pirates of the New England Coast,* 1630–1730 (Salem, Mass.: Marine Research Society, 1923), ch. XVIII.

Abel Boyer, ed., *The Political State of Great Britain*, vol. XXXII.

*London, September* 1726.

Pp. 271-273. Carries the Boston dispatches of 4 and 16 July 1726 and the New York dispatch of 20 July, including the fullest surviving report of the execution.

*Calendar of State Papers Colonial, America and West Indies*, vol. 35, 1726-1727, ed. Cecil Headlam and Arthur Percival Newton.

*London: His Majesty's Stationery Office,* 1936.

Nos. 276 and 277, Lieutenant Governor Dummer to the Council of Trade and Plantations and to the Duke of Newcastle, Boston, 22 August 1726. Public domain.

# HOSTIS

*Enemies of all mankind*

---

A free man is sovereign by virtue of being. He is the locus of his own existence, the keeper of the light he carries, the author of every step he takes. He asks no man's leave for what is already his. He stands under the flag he raised himself.

*Hostis humani generis.* Enemy of all mankind. Cicero's charge, fastened onto pirates and hardened by English admiralty law into a rule. A pirate belongs to no nation, may be tried by any nation, stands outside the protection of every one. Mankind *agrees to treat* a man as the common enemy of mankind. The category is a verdict passed by interested parties, and always was. Enemies of all mankind by their decree. We keep the name by consent.

Before a company put to sea it wrote down the terms it would sail by. A vote to every hand aboard. An equal share of the provisions. Payment in coin for a limb or an eye lost at work. Captains elected, and turned out again by ballot. No king in Europe granted a seaman one of the four. The crews took all four in the one place on earth where nobody could stop them, and the Crown answered by hanging them in chains at the mouths of harbours, where the lesson would be legible from the deck of every ship coming in.

Court transcripts. Articles of indictment. Inventories of confiscated goods. Sermons preached at the condemned on the Sunday before they died. Power documents itself to justify itself, the paper outlives the office, and it is read at last by people it was never meant for.

The fence has moved. From the shore to the page, from the page to the server. The name moved with it. We are where we have always been.

One crew, then, and a long one. Each hand on it told what he might do with what was already his. Those companies. The printers. The mechanic. The farmer. The archivist. The cryptographer. The buyer. The spender. The seeder. Every one of them was asked the same question at the moment it was put to him. Every one gave the same answer.

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# AFTERWORD

*What became of the island, and of the record*

---

William Fly hung in chains on Nixes Mate, the island the court's warrant calls Nick's-Mate, at the entrance to Boston harbour, where every inbound vessel passed close enough to see him. The island was more than ten acres when the English arrived. The tide, the weather and the quarrymen took it. By the end of the eighteenth century it was a sandbar. It is now a shoal with a stone marker on it, and the marker is the only thing standing where the gibbet stood.

The bodies of Samuel Cole and Henry Greenvill were buried on the same island and nobody recorded where. George Condick, reprieved at the place of execution, walks out of the record entirely. William Atkinson, tried for his life by the government he had served and acquitted without paying fees, does the same.

Two years after the hanging, in London, the second volume of a general history of the pirates carried a chapter on Fly, and the trade that the Royal Navy had spent a decade destroying began its second existence as a story. The suppression was complete and the legend was just starting. Within a century the pirate had become an entertainment.

Mather died in 1728 and Sewall in 1730. The court that sat in July 1726 was dissolved when its business was done. The North Church burned for firewood during the siege of Boston. But the pamphlet survived, and the trial record survived, and Colman's account survived, in a handful of copies each. They were filmed in the middle of the twentieth century, scanned at the end of it, and keyed into text at the beginning of this one, at which point they passed out of the keeping

of the institutions that had held them for three hundred years and into the hands of anyone who wanted them.

Nothing in these pages was meant to reach you. Every word of it was set in type to prove that the hanging was just. Copy it, and it does the other thing.

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